

JOURNAL OF THE SENATE

Tuesday, May 23, 1939

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Monday, May 22, 1939.

The President in the Chair.

The roll was called and the following Senators answered to their names:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook Whitaker, Wilson—37.

Nays—None.

A quorum present

The President announced that Senator Ward was excused from attendance upon the sessions after today until circumstances permit his return.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal of May 18, 1939, was further corrected as follows:

On page 7, column 2, between lines 3 and 4 from the bottom of the page insert the following:

"Which was agreed to by a two-thirds vote."

Also—

On page 8, column 1, between lines 13 and 14 from the bottom of the page insert the following:

"By permission the following Reports of Committees were filed:

REPORTS OF COMMITTEES"

And as further corrected was approved.

The Journal of May 22, 1939, was corrected as follows:

On page 1, column 1, strike out lines 36, 37, 38, 39 and 40.

Also—

On page 5, column 1, strike out lines 10 to 49, inclusive.

Also—

On page 6, column 2, between lines 31 and 32, insert the following:

"Senator Westbrook moved that the rules be waived and the Senate do now proceed to the Introduction of Bills and Joint Resolutions.

Which was agreed to by a two-thirds vote and it was so ordered."

And as corrected was approved.

REPORTS OF COMMITTEES

Senator McKenzie, Chairman of the Joint Committee on Enrolled Bills on the part of the Senate, submitted the following report:

Your Joint Committee on Enrolled Bills, to whom was referred:

House Bill No. 505:

A bill to be entitled An Act to provide for the reimbursement of Will C. Spencer, Sheriff of Hillsborough County, Florida, for the balance due him for loss of salary in consequence of his suspension from office by the Governor of the State of Florida under Section 16, Article IV of the Constitution of the State of Florida.

House Bill No. 1232:

A bill to be entitled An Act providing for the confirmation and ratification of all purchases of Okeechobee County bonds and/or time warrants by the Board of Administration of the State of Florida, for or by the Board of County Commissioners of said County, and providing for the cancellation of all such bonds and time warrants.

House Bill No. 1233:

A bill to be entitled An Act requiring electors in Okeechobee County, Florida, to re-register.

House Bill No. 1234:

A bill to be entitled An Act authorizing the Board of County Commissioners of Okeechobee County, Florida, by resolution, to transfer all monies now deposited to the credit of the 1933 tax adjustment fund to the 1936 tax adjustment fund without the approval of the Comptroller of the State of Florida.

House Bill No. 1235:

A bill to be entitled An Act to prescribe the commissions and fixing the compensation of County assessor and collector of taxes in Okeechobee County, Florida, and repealing all laws in conflict therewith.

House Bill No. 1236:

A bill to be entitled An Act providing for the ratification and confirmation of each and every tax settlement made by the Clerk of the Circuit Court and/or tax collector of Okeechobee County, Florida, on tax certificates heretofore issued for non-payment of taxes on lands situated in said County, and providing that all assessments for State taxes shall be paid in full as provided by law.

House Bill No. 1237:

A bill to be entitled An Act to provide for the sale on compromise offers without advertisement of all tax certificates held by the State of Florida for the year 1937 and/or prior years covering lands in Okeechobee County, Florida, and providing that any and all sales shall be approved by the Board of County Commissioners of said County, and providing that the amount of the State tax covered by said certificates shall not be subject to compromise but shall be paid in full as provided by law.

House Bill No. 1238:

A bill to be entitled An Act to provide that candidates for members of the Board of County Commissioners in counties in the State of Florida having a population of not less than 3,470 and not more than 3,495 according to the last State census of the State of Florida, shall be nominated in the primary elections by vote of electors throughout the County.

House Bill No. 1239:

A bill to be entitled An Act providing that the County Commissioners of Okeechobee County, Florida, shall furnish postage expense to the tax collector of said county for mailing tax notices and receipts.

House Bill No. 1341:

A bill to be entitled An Act prescribing the Maximum fees to be allowed clerks of circuit courts for sale or redemption of State tax certificates on lands lying in counties in the State of Florida having a population not less than 3470 and not more than 3495 according to the last State census of the State of Florida, which have been subdivided into lots, blocks or tracts as evidenced by a plat or plats duly filed among or recorded in the public records of any County and for which no returns for taxation have been made as subdivided for more than three years.

Beg leave to report that the same have this day been presented to the Governor for his approval.

Senator McKenzie, Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate, submitted the following report:

Your Joint Committee on Enrolled Bills, to whom was referred:

Senate Bill No. 140:

A bill to be entitled An Act canceling certain State and County unpaid taxes, due the State of Florida, and Columbia County, against certain real property owned by the City

of Lake City, Florida, a municipal corporation, and authorizing the Comptroller of the State of Florida and the Tax Collector and the Clerk of the Circuit Court of Columbia County, Florida, to cancel certain tax sales certificates.

Senate Bill No. 580:

A bill to be entitled An Act authorizing and empowering the several Boards of Public Instruction in counties of between 16,250 and 16,500 population according to the last State census to transfer funds from their interest and sinking fund accounts to their general fund account whenever there is an excess in the interest and sinking fund over and above the current bond and interest coupon payments; and further providing for the procedure for the same.

Senate Bill No. 627:

A bill to be entitled An Act relating to expenditures and disbursements of surplus moneys remaining in highway bond fund and bond trustees of Putnam County, special account fund, both of said funds being administered by Board of Bond Trustees of Putnam County, Florida, and providing that such surplus moneys may be applied to the road and bridge fund in amounts to be determined by said Board of Bond trustees.

Senate Bill No. 629:

A bill to be entitled An Act providing an exclusive method by which the City of Starke, Florida, may dispose of, lease, sell, or abandon the usual operation of its municipal light and water plants, or either, and repealing all conflicting laws herewith.

Senate Bill No. 661.

A bill to be entitled An Act relating to expenditures and disbursements of surplus moneys in St. Johns River Bridge Fund of Putnam County, Florida: Providing that such surplus moneys shall be applied to the Road and Bridge Fund of Putnam County, Florida, in amounts to be determined by the Board of Bond trustees of Putnam County, Florida, and validating and confirming use of surplus funds.

Senate Bill No. 687:

An Act to prescribe the Commissions and fixing the compensation of the County Assessor of Taxes and the County Tax Collector in Counties having a total population of not less than 8800 and not more than 8845, according to the State census of 1935.

Senate Bill No. 696:

A bill to be entitled An Act to repeal in part and amend in part Section 19 of Chapter 9710, Laws of Florida, Acts of 1923, entitled "An Act to abolish the present municipal government of the City of Clearwater, County of Pinellas, Florida, and to create and establish a municipal corporation to be known as the City of Clearwater; to provide a Charter for said city; to define its territorial limits; provide for its government; and prescribe its jurisdiction and powers."

Senate Bill No. 702:

A bill to be entitled An Act to provide for the registration and reregistration of all qualified electors in Columbia County, Florida, as a prerequisite for voting; and further providing for the making of a new set of registration books in Columbia County, Florida, and for the payment of expenses of same by the Board of County Commissioners of Columbia County, Florida, and for the compensation of the supervisor of registration by the Board of County Commissioners of Columbia County, Florida.

Senate Bill No. 718:

A bill to be entitled An Act requiring the Board of County Commissioners in Counties of this State having a population of not less than 14,500 and not more than 14,600, according to the last Federal census to pay over to the Board of Public Instruction of such counties a certain portion of monies derived from the operation of race tracks.

Senate Bill No. 722:

A bill to be entitled An Act to fix and provide the compensation of members of the County Board of Public Instructions in all counties in the State of Florida having a population of not less than 13,600 nor more than 13,675 according to the last preceding State census.

Senate Bill No. 723:

A bill to be entitled An Act to fix and provide the compensation of Members of the Board of County Commissioners in all counties in the State of Florida having a population of not less than 13,600 nor more than 13,675, according to the last preceding State census.

Senate Bill No. 725:

A bill to be entitled An Act prescribing the qualifications of candidates for an elective office in the City of Tarpon Springs and providing for a filing fee of twenty-five (\$25.00) dollars to be paid by any one becoming a candidate.

Senate Bill No. 726:

A bill to be entitled An Act to authorize the City Commissioners of the City of Dunedin, Florida, to provide and prescribe building regulations affecting said city.

Senate Bill No. 727.

A bill to be entitled An Act providing for discounts on municipal taxes paid to the City of Tarpon Springs, Florida, and the rate of interest to be charged on taxes and fixing a date on which the same shall become delinquent and subject to foreclosure and repealing all laws in conflict herewith.

Senate Bill No. 728:

A bill to be entitled An Act to authorize the City Commissioners of the City of Dunedin, Pinellas County, Florida, to provide and prescribe zoning regulations affecting said city.

Senate Bill No. 729:

A bill to be entitled An Act to repeal in part and amend in part Sections 43-51-54-62 and 88 of Chapter 15183, Laws of Florida, Acts of 1931, entitled "An Act to abolish the present Municipal Government of the City of Dunedin, Pinellas County, Florida, and to create, establish and organize a municipality to be known and designated as the City of Dunedin and to define its territorial boundaries and provide for its government, jurisdictions, powers, franchises and privileges."

Senate Bill No. 743:

A bill to be entitled An Act relating to salt water fish and to permit the catching or taking and the buying or selling of mullet in Nassau County, Florida, during the open season, provided, such mullet shall measure eight inches or more from tip of nose to fork of tail.

Senate Bill No. 763:

A bill to be entitled An Act authorizing Palm Beach County to accept gifts, donations or contributions of land for County park and forest purposes; providing for the custody and control of all such lands by the Board of County Commissioners of said County; authorizing, empowering and directing the trustees of the Internal Improvement Fund to make, execute and deliver a deed for certain land to Palm Beach County for park and forest purposes; authorizing said Board of County Commissioners to make rules and regulations with respect to the purposes of this Act; authorizing said Board of County Commissioners to lease said lands to certain organizations; providing for the levy of taxes not to exceed one mill for the purpose of maintaining, operating and controlling said park or parks and forests; providing for the cancellation of all past taxes and assessments against said lands and the exemption of said lands from all future taxes and assessments; declaring the acquisition maintenance, operation and control of said park or parks and forests to be a public purpose.

Senate Bill No. 767:

A bill to be entitled An Act providing for the annexation of contiguous territory being served by Special Tax School District Number 43, Brewster, Polk County, Florida, to such Special Tax School District, and providing that such territory so annexed shall not be liable for the bonded or other indebtedness of said Special Tax School District Number 43, Brewster, Polk County, Florida.

Senate Bill No. 773:

A bill to be entitled An Act to create the Citrus County Historical Commission; providing who shall be members of such commission prescribing their powers and duties; providing who shall be its chairman and secretary; providing that the expenses of such commission shall be paid by the Board of County Commissioners of Citrus County, Florida, out of the General Fund and that the Clerk of the Circuit Court of such County shall file and record, without charge, historical material and data collected by such commission.

Senate Bill No. 775:

A bill to be entitled An Act providing how all monies paid to the several Boards of County Commissioners of all Counties in the State of Florida, or to all Counties in the State of Florida, whose population, according to the last preceding State census was not less than 5,525 and not more than 5,850, under the provisions of Chapter 14832, Laws of Florida, Acts of 1931, or any laws amendatory or supplemental thereto, shall be spent and appropriated, and giving authority for the expenditure of said monies for each of the fiscal years, A. D. 1938-1939, and A. D. 1939-1940, and repealing all laws in conflict therewith, and dealing generally with said fund.

Senate Bill No. 786:

A bill to be entitled An Act fixing the compensation of County Commissioners in the State of Florida in Counties having a population of not less than Seventeen Thousand Five Hundred (17,500), and not more than Eighteen Thousand (18,000), according to the last preceding State census, and repealing all conflicting laws, including Chapter 14683, Laws of Florida, Acts of 1931.

Senate Bill No. 792:

A bill to be entitled An Act granting to the Boards of County Commissioners of Counties having a population of not less than 180,000, according to the last preceding State or Federal census, full authority to suspend for reasonable periods of time, in their discretion, and to revoke the licenses of licensees under the Beverage Act of 1935, Chapter 16774, Acts of 1935, following the same procedure, for the same causes and under the same limitations as the director of the Beverage Department is authorized by Section 1, Chapter 16774, Acts of 1935, and Section 3, Chapter 18015, Acts of 1937, to suspend and to revoke the licenses of said licensees.

Senate Bill No. 796:

A bill to be entitled An Act to repeal Chapter 18715, Laws of Florida, Acts of 1937, being an Act to protect and regulate the hunting of deer in Nassau County, Florida.

Senate Bill No. 797:

A bill to be entitled An Act to amend Section One of Chapter 18717, Laws of Florida, Acts of 1937, relating to the authority and power of the Board of County Commissioners of Nassau County, Florida, to levy and assess annually a special tax on real and personal property in said County for the purpose of creating a fund to be known as the "Right of Way Fund" and for other expenses incurred in the acquiring of rights of way for State and County road purposes in said Nassau County.

Senate Bill No. 798:

A bill to be entitled An Act to amend Section One of Chapter 18716, Laws of Florida, Acts of 1937, relating to the authority and power of the Board of County Commissioners of Nassau County, Florida, to levy and assess annually a special tax on real and personal property in said Nassau County for the purpose of creating a fund to be known as the "County Welfare Fund" and for raising funds for the care of County poor, for the burial of County poor, for medical and hospital treatment of County poor and for general and social welfare work in said Nassau County.

Beg leave to report that the same have this day been presented to the Governor for his approval.

The following report by the Committee on Rules and Calendar was received and read:

Senate Chamber, May 23, 1939.

Hon. J. Turner Butler,
President of the Senate.
Sir:

Your Committee on Rules and Calendar recommends that night sessions be held by the Senate for the remainder of the Session, excepting Saturday, May 27, 1939, and that the hours of such sessions shall be 8:00 p. m. to 10:00 p. m.

Respectfully submitted,

A. O. KANNER,
Chairman, Committee on Rules and Calendar.

Senator Kanner moved the adoption of the Report.

Which was agreed to and the Report was adopted.

Senator Graham moved that the rules be waived and the Senate do now take up and consider the Governor's veto message on Senate Bill No. 338, out of its order.

Which was agreed to by a two-thirds vote.

Senate Bill No. 338:

A bill to be entitled An Act providing that whenever any authorized State, County or Municipal officer or agency, annually, for two or more consecutive years receives the tendered taxes for and issues and delivers license or licenses for places of business or stores, no such officer or agency shall thereafter prohibit the operation of such places of business or stores thereunder, nor issue or enforce any warrants against the licensees or others, for any additional license taxes for such places of business for the periods covered by such licenses so issued; and providing no action shall exist or proceeding be had or taken for any such additional taxes for such places for such license periods.

Was taken up and read by title, together with the Governor's objection thereto as follows:

State of Florida, Executive Department,
Tallahassee, May 15, 1939.

Hon. J. Turner Butler,
President of the Senate.
Senate Chamber,
Sir:

By the authority vested in me as Governor of Florida under the provisions of Section 28, Article III of the Constitution of this State, I transmit to you with my objections thereto Senate Bill No. 338, entitled:

"An Act providing that whenever any authorized State, County and Municipal officer or agency, annually, for two or more consecutive years receiving the tendered taxes for and issues and delivers license or licenses for places of business or stores, no such officer or agency shall thereafter prohibit the operation of such places of business or stores thereunder, nor issue or enforce any warrants against the licensees or others, for any additional license taxes for such places of business for the periods covered by such licenses so issued; and providing no action shall exist or proceeding be had or taken for any such additional taxes for such places for such license periods."

I am withholding my approval of this bill for the following reasons:

1. The said bill creates a statute of limitations against the collection of license taxes for the State of Florida.

2. The said law does not protect the State against fraud or attempted fraud, or hidden property or resources which are subject to taxation, and have not been legally returned, and will prevent the State from collecting licenses or taxes on the same when the said fraud or attempted fraud is discovered.

3. It has been decided by our courts many times that the negligence of any public official should not bar the right of a sovereign state from collecting taxes honestly due, or where the said official has purposely omitted taxes due the state, and make it impossible for a succeeding officer to remedy the negligence or carelessness of his predecessor.

4. There are now pending many suits for the collection of license taxes due the State amounting to over \$400,000.00, and if this bill was allowed to become a law it would bar the state from recovery and deprive the school fund of large sums of money.

5. Any honest mistake on the part of the State or licensee can be cured in court under our present laws without the passage of a bill which would forever deny the state the right to prosecute just claims against licensees who have misrepresented the facts pertaining to said license.

6. It would bar the state, county, municipal officer or agency from further collecting any sums of money omitted by fraud, mistake or negligence, and would prevent the collecting agencies of the state, county or municipalities from collecting other moneys probably much larger in amount than is contemplated at this time.

7. A law of this nature encourages taxpayers to become delinquent in paying their taxes in the hope they will be forgiven for not paying, thereby penalizing the man that does pay.

8. This bill would invite delay in the payment of taxes until the statute of limitations run.

I am satisfied that any unjust claim sued upon by the State that the courts of Florida will give the taxpayer equity and justice. For the reasons above stated I withhold my signature from Senate Bill No. 338 and veto the same.

Respectfully submitted,

FRED P. CONE,
Governor.

The President put the question: "Shall the bill pass, the Governor's objections to the contrary notwithstanding."

Upon the passage of Senate Bill No. 338, the roll was called and the vote was:

Yeas—Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dugger, Gideons, Graham, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lindler, Murphy, Sharit, Walker, Whitaker—22.

Nays—Mr. President; Senators Dye, Hinely, Lewis, McKenzie, Parker, Rose, Savage, Ward, Westbrook, Wilson—11.

So Senate Bill No. 338 passed by the required Constitutional two-thirds vote of all members present, the Governor's objections to the contrary notwithstanding, and the action of the Senate was ordered certified to the House of Representatives.

Senator Murphy requested that Senate Bill No. 306, which was reported unfavorably by the Committee on State Institutions, be placed on the Calendar of Bills on second reading.

And it was so ordered, under the rules.

Senator Murphy requested that Senate Bill No. 527, which was reported unfavorably by the Committee on Temperance, be placed on the Calendar of Bills on second reading.

And it was so ordered, under the rules.

Senator Murphy moved that Senate Bill No. 745 be recommitted to the Committee on Public Health.

Which was agreed to and it was so ordered.

Senator Kelly (16th) moved that Senate Bill No. 742 be recalled from the House of Representatives.

Which was agreed to and it was so ordered.

Senator Ward requested that Senate Bill No. 176 be recalled from the Committee on Appropriations, having been in said Committee more than seven (7) days, and placed on the Calendar of Bills on second reading.

And it was so ordered, under the rules.

Senator Hodges requested that Senate Bill No. 732 be recalled from the Committees on Finance and Taxation and Judiciary "B", having been in said Committees more than seven (7) days, and placed on the Calendar of Bills on second reading.

And it was so ordered, under the rules.

Senator Horne moved that the Committee on Public Roads and Highways be instructed to have printed all documentary evidence before the Committee in connection with Senate Bills Nos. 801 and 802, now being considered by the Committee on Public Roads and Highways.

Which was agreed to and it was so ordered.

Senator Whitaker requested that Senate Bill No. 478 be recalled from the Committee on Appropriations, having been in said Committee more than seven (7) days, and placed on the Calendar of Bills on second reading.

And it was so ordered, under the rules.

Senator Kendrick moved that the rules be waived and the Senate do now take up and consider Senate Bill No. 970, out of its order.

Which was agreed to by a two-thirds vote.

Senate Bill No. 970:

A bill to be entitled An Act creating and establishing a State Industrial School for negro girls; providing the manner in which and the cause for which negro girls may be placed and detained therein; providing the plan of management therefor and making an appropriation to carry out the purposes of this Act.

Was taken up.

Senator Kendrick moved that the rules be waived and Senate Bill No. 970 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 970 was read the second time by title only.

Senator Kendrick moved that the rules be further waived and Senate Bill No. 970 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill 970 was read the third time in full.

Upon the passage of Senate Bill No. 970 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall,

Black, Coulter, Dugger, Dye, Gideons, Graham, Hodges, Holland, Johns, Kanner, Kelly (11th), Kendrick, Lewis, McKenzie, Murphy, Parker, Price, Rose, Sharit, Walker, Westbrook, Whitaker, Wilson—27.

Nays—None.

So Senate Bill No. 970 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Beall moved that Committee Substitute for Senate Bills Nos. 55 and 56 be recommitted to the Committee on Judiciary "B."

Which was agreed to and it was so ordered.

Senator Kanner moved the rules be waived and the Senate do now proceed to the consideration of Messages from the House of Representatives.

Which was agreed to by a two-thirds vote.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 19, 1939.

Hon. J. Turner Butler,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has indefinitely postponed:

By Senator Beacham—
Senate Bill No. 544:

A bill to be entitled An Act granting to the Board of Administration created by Chapter 14486, Laws of Florida, Acts of 1929, additional authority and powers with reference to the sale and reinvestment of securities or other evidences of indebtedness held to the credit of funds being administered by said Board, to the credit of County or Counties having a population of not less than 53,000 nor more than 65,000, according to the last preceding State or Federal census, or any special road and bridge district therein; and granting to said Board of Administration authority and power to accept refunding obligations, with authority to make concessions and compromises in regard thereto and providing the conditions under which the same may be done; granting to said Board of Administration authority and power to transfer either by sale or exchange obligations in any fund to another fund so as to result in a particular fund's acquiring its own obligations; granting to said Board of Administration authority and power to transfer surplus from one fund to another; and providing for the advice, consent, and approval to the exercise of the authority and powers herein granted of the board of County Commissioners or other governing authority of the unit affected.

Proof of Publication attached.

Very respectfully,
BEN H. FUQUA,
Chief Clerk House of Representatives.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 20, 1939.

Hon. J. Turner Butler,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed:

By Senator Gillis—
Senate Bill No. 360:

A bill to be entitled An Act granting a pension to Mrs. Eliza Bowers of Walton County, Florida.

Also—

By Senator Whitaker—
Senate Bill No. 503:

A bill to be entitled An Act making appropriation to be used as sponsor's contributions to grants of the Works Progress Administration for the construction of an auditorium on the campus of the Florida State College for Women.

Also—

By Senator Gillis—

Senate Bill No. 605:

A bill to be entitled An Act granting a Confederate pension to Mrs. J. C. Day, of Walton County, Florida.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And Senate Bills Nos. 360, 503 and 605, contained in the above message, were referred to the Committee on Enrolled Bills.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 20, 1939.

Hon. J. Turner Butler,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed:

By Senator Wilson—

Senate Bill No. 136:

A bill to be entitled An Act relating to the examination and commitment of persons to the Florida State Hospital, and repealing all laws and parts of laws in conflict herewith.

Also—

By Senator Wilson—

Senate Bill No. 137:

A bill to be entitled An Act relating to the management and control of the Florida State Hospital; providing for the employment of a superintendent; prescribing the duties of the superintendent and other employees; fixing the bond of the superintendent; providing for the compensation of the superintendent; prescribing the method of fixing bond of other employees; prescribing the manner of removal of superintendent and other employees; providing for the keeping of records of patients; providing for the admission of pay patients; providing for the care of such patients; fixing the manner of payment and the amount to be paid for the care, custody and maintenance of said pay patients; providing for the fixing of bond for such payment for the care, custody and maintenance of said pay patients by the Board of Commissioners of State Institutions.

Also—

By Senator Johns—

Senate Bill No. 252:

A bill to be entitled An Act to amend Section 4 and 8 of Chapter 15911, Acts of 1933, Laws of Florida, entitled: "An Act defining and regulating the practice of chiropody, providing for the exemption from this Act, creating a Board of Chiropody Examiners, providing penalties for violation of this Act, repealing laws in conflict herewith and fixing the date upon which this Act becomes effective"; and to further amend said Chapter 15911, by adding six new sections to be known and described as (12), (13), (14), (15), (16), and (17), thereof, providing for: (12) refusal to grant license; revocations. (13) Hearing of charges against accused; form of notice to accused. (14) Board's power to revoke license of chiropodist. (15) Records to be kept by secretary-treasurer of board. (16) Practicing chiropody without license, etc. (17) Effect of partial invalidity of chapter.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And Senate Bills Nos. 136, 137 and 252, contained in the above message, were referred to the Committee on Enrolled Bills.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 18, 1939.

Hon. J. Turner Butler,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed with amendments:

By Senator Sharit—

Senate Bill No. 421:

A bill to be entitled An Act to regulate the manner and method for the taking of any and all species or kind of fish from certain rivers, creeks, streams, bayous, cut-offs and inlets or any portion thereof, in Bay County, Florida; providing for closed portions of the said certain waters in said Bay County; providing a penalty for the violation of any of the provisions of this Act.

Proof of Publication Attached.

Which amendments read as follows:

Amendment No. 1.

In Section 1, line 33, typewritten, strike out the lines 33, 34 and 35.

Amendment No. 2.

In Section 1, line 45, typewritten after the words Lake Powell insert the following: except for mullet fishing only during the months of October and November South of Highway Bridge on State Road No. 115.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And Senate Bill No. 421, contained in the above message, was read by title together with House Amendments thereto.

Senator Sharit moved that the Senate do not concur in House Amendment No. 1 to Senate Bill No. 421.

Which was agreed to and the Senate refused to concur in House Amendment No. 1 to Senate Bill No. 421.

Senator Sharit moved that the Senate do not concur in House Amendment No. 2 to Senate Bill No. 421.

Which was agreed to and the Senate refused to concur in House Amendment No. 2 to Senate Bill No. 421.

And the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 19, 1939.

Hon. J. Turner Butler,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate the House of Representatives has adopted an amendment to:

By Senator Holland—

Senate Bill No. 287:

A bill to be entitled An Act to protect good will represented by trade marks, names or brands, against injury by authorizing contracts establishing minimum resale prices on commodities bearing them and defining as unfair competition and making actionable knowingly and wilfully to advertise and sell such commodities at less than the minimum prices established in the contracts authorized by this Act, whether the person so advertising and selling is or is not a party to such contract.

Which Amendment reads as follows:

"Strike out the enacting clause."

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And Senate Bill No. 287, contained in the above message, was read by title together with House Amendment thereto.

Senator Holland moved that the Senate do concur in House Amendment to Senate Bill No. 287.

Which was agreed to and the Senate concurred in House Amendment to Senate Bill No. 287.

And Senate Bill No. 287, as amended, was referred to the Committee on Engrossed Bills, and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida.
May 19, 1939.

Hon. J. Turner Butler,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has receded from House Amendments Nos. 1 and 2 to:

By Committee on Agriculture and Livestock—
Senate Bill No. 465:

A bill to be entitled An Act to provide for the registration, inspection, and analysis, of, and to regulate the sale of commercial feeds in this State; to prohibit the sale of fraudulent or adulterated commercial feeds; to define the term commercial feeds; to authorize the Commissioner of Agriculture to fix the standards of commercial feeds sold in Florida to provide for guarantees of the ingredients of commercial feeds; for the affixing of labels, tags or stamps to the packages thereof, as evidence of compliance with this Act; to provide for the collection of an inspection fee from the manufacturers of commercial feeds; to fix penalties for the violation of the provisions of this Act; authorizing civil actions by purchasers of feeds sold not in conformity with this Act against the sellers or manufacturers; providing for salaries of the State Chemist and Assistant Chemists incident to enforcement of this Act; and to repeal all laws or parts of laws in conflict with this Act.

Which amendments read as follows:

House Amendment No. 1:

In Section 17, line 3 (printed bill), after the words State Chemists, and insert the following: Strike out the remainder of Section 17.

House Amendment No. 2:

In The Title of (printed bill), strike out the words: Providing for salaries of the State Chemist and assistant chemist incident to enforcement of this Act.

Very respectfully,
BEN H. FUQUA,

Chief Clerk House of Representatives.

And Senate Bill No. 465, contained in the above message, was referred to the Committee on Enrolled Bills.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 19, 1939.

Hon. J. Turner Butler,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed with amendments.

By Senators Parker and Adams—
Senate Bill No. 385:

A bill to be entitled An Act to appropriate \$80,400 additional funds to the University of Florida for the use and benefit of the agricultural extension service, to be used solely for the salary and expenses of county agricultural extension agents in the respective counties of this State.

Which amendments read as follows:

Amendment No. 1:

In Section 1, line 7, strike out the words "The respective counties of".

Amendment No. 2:

In Title, line 5 and 6, strike out the words "the respective counties of."

And respectfully requests the concurrence of the Senate therein.

Very respectfully,
BEN H. FUQUA,
Chief Clerk House of Representatives.

And Senate Bill No. 385, contained in the above message, was read by title together with House Amendments thereto.

Senator Parker moved that the Senate do concur in House Amendment No. 1 to Senate Bill No. 385.

Which was agreed to and the Senate concurred in House Amendment No. 1 to Senate Bill No. 385.

Senator Parker moved that the Senate do concur in House Amendment No. 2 to Senate Bill No. 385.

Which was agreed to and the Senate concurred in House Amendment No. 2 to Senate Bill No. 385.

And Senate Bill No. 385, as amended, was referred to the Committee on Engrossed Bills, and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 18, 1939.

Hon. J. Turner Butler,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed, with amendments:

By Senator Beall—
Senate Bill No. 230:

A bill to be entitled An Act relating to the exercise of eminent domain; providing that any housing authority created under the Laws of Florida may take immediate possession of property involved in any condemnation suit instituted by such housing authority and that the Court shall make orders with respect to the date upon which the property shall be surrendered and with respect to encumbrances, liens, taxes and other charges; providing for the filing of a declaration of taking, the determination and making of an adequate deposit with the Clerk of the Court to satisfy the judgment of award of compensation; providing for the entry of judgments against the petitioner, the satisfaction thereof and the issuance of executions thereon.

Which amendments read as follows:

Amendment No. 1—

At the end of Section 5 insert a new section, as follows: "Section 5-A"—All costs of proceedings shall be paid by the petitioner, including a reasonable attorney's fee for the defendant to be assessed by the jury, except the cost upon the writ of error taken by a defendant, or which the judgment of the Circuit Court shall be affirmed.

Amendment No. 2—

In Section 1-B, Subsection 1, line 6, strike out the words: forty-eight (48) hours; and insert the following: seven (7) days.

Amendment No. 3—

In Section 1-B, Subsection (2) (a), line 3, strike out the words: three (3) days; and insert the following: seven (7) days.

Amendment No. 4—

In Section 1-B, Subsection (2) (a), line 6, strike out the words: three (3) days; and insert the following: seven (7) days.

Amendment No. 5—

In Title, last line, at the end of said title, strike out the period and insert a comma in lieu thereof, and the following: "Providing for the payment of costs of proceeding including attorney's fees."

And respectfully requests the concurrence of the Senate therein.

Very respectfully,
BEN H. FUQUA,

Chief Clerk House of Representatives.

And Senate Bill No. 230, contained in the above message, was read by title together with House Amendments thereto.

Senator Beall moved that the Senate do concur in House Amendment No. 1 to Senate Bill No. 230.

Which was agreed to and the Senate concurred in House Amendment No. 1 to Senate Bill No. 230.

Senator Beall moved that the Senate do concur in House Amendment No. 2 to Senate Bill No. 230.

Which was agreed to and the Senate concurred in House Amendment No. 2 to Senate Bill No. 230.

Senator Beall moved that the Senate do concur in House Amendment No. 3 to Senate Bill No. 230.

Which was agreed to and the Senate concurred in House Amendment No. 3 to Senate Bill No. 230.

Senator Beall moved that the Senate do concur in House Amendment No. 4 to Senate Bill No. 230.

Which was agreed to and the Senate concurred in House Amendment No. 4 to Senate Bill No. 230.

Senator Beall moved that the Senate do concur in House Amendment No. 5 to Senate Bill No. 230.

Which was agreed to and the Senate concurred in House Amendment No. 5 to Senate Bill No. 230.

And Senate Bill No. 230, as amended, was referred to the Committee on Engrossed Bills, and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 19, 1939.

Hon. J. Turner Butler,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed, with amendments:

By Senator Parker—
Senate Bill No. 67:

A bill to be entitled An Act assenting to and accepting the provisions of An Act of Congress approved July 11, A. D. 1916, and all amendments thereto, the same being entitled, "An Act to provide that the United States Government shall aid the states in the construction of rural post roads, and for other purposes," and providing for the apportionment and appropriation of funds to meet the same.

Which amendment reads as follows:

Amendment No 1—

In Section 3, line 2, strike out the words, "per annum."

And respectfully requests the concurrence of the Senate therein.

Very respectfully,
BEN H. FUQUA,
Chief Clerk House of Representatives.

And Senate Bill No. 67, contained in the above message, was read by title together with House Amendment thereto.

Senator Parker moved that the Senate to concur in the House Amendment to Senate Bill No. 67.

Which was agreed to and the Senate concurred in the House Amendment to Senate Bill No. 67.

And Senate Bill No. 67, as amended, was referred to the Committee on Engrossed Bills, and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 19, 1939.

Hon. J. Turner Butler,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Senators Hodges, Whitaker, Adams and Wilson—
Senate Bill No. 396:

A bill to be entitled An Act authorizing the Comptroller of the State of Florida to make available for current obligations certain funds held by him in the Pension Tax Fund against which warrants have been or shall be issued which within one year from issuance have not been presented for payment; preserving the obligation of the State to pay all Confederate Pension warrants issued under the laws of the State of Florida; prescribing the procedure by which warrants older than one year which have not been paid may be cancelled and new warrants issued in lieu thereof on a current basis; appropriating such funds as are in the pension tax fund to pay new warrants issued in lieu of cancelled warrants and authorizing the Comptroller of the State to provide rules and regulations for the administration of this Act.

Very respectfully,
BEN H. FUQUA,
Chief Clerk House of Representatives.

And Senate Bill No. 396, contained in the above message, was referred to the Committee on Enrolled Bills.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 19, 1939.

Hon. J. Turner Butler,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By the Committee on Forestry and Parks—
Senate Bill No. 318:

A bill to be entitled An Act to provide that cooperative fire protection upon lands in cooperation with the Florida Board of Forestry shall constitute for the owners and adverse possession of such lands under color of title or without color of title upon proof of the carrying on of said work on said lands by the owner and the Florida Board of Forestry.

Also—

By Senators Hodges, Whitaker, Horne and Black—
Senate Bill No. 585:

A bill to be entitled An Act to amend Section 12 of Chapter 14832, Laws of Florida, Acts of 1931, being, "An Act to provide for a State Racing Commission to prescribe its powers and duties, and to fix the compensation of its members; to provide for holding referendum and recall elections in any County to determine whether racing shall be permitted or continued therein; to provide for licensing and taxing such racing and apportioning the moneys derived therefrom among the several counties of the State to provide for and regulate the making of pari-mutuel pools within the enclosure of licensed race tracks; providing certain penalties for the violation of this Act, and for other purposes relating thereto," as the same was amended by Chapter 16113, of the Acts of 1933; by providing for an earlier distribution of the moneys distributable to the several counties of the State of Florida, and by limiting the funds available to the State Racing Commission for expenses between racing seasons to forty thousand (\$40,000.00) dollars per annum.

Also—

By the Joint Committees on Judiciary "A," "B" and "C"—
Senate Bill No. 391.

A bill to be entitled An Act providing that Constitutional Officers of the State of Florida, Boards of County Commissioners and Boards of Public Instruction of the several counties of this State shall not be required to provide, file or furnish any bond or other security for the procurement of, or to render effective, for any and all purposes, any restraining order, injunction, or other order, writ or decree, in cases of original jurisdiction in the Supreme Court of Florida; and providing that all writs of error sued out and all appeals taken by all Constitutional Officers of the State of Florida, and by any Board of County Commissioners and/or by any Board of Public Instruction, of any of the counties of this State, shall operate as a supersedeas in all cases now pending or hereafter instituted, and no bond or other security shall be furnished, filed or required in such cases for the purposes of rendering any such writs of errors or any such appeals fully effective as a supersedeas.

Very respectfully,
BEN H. FUQUA,
Chief Clerk House of Representatives.

And Senate Bills Nos. 318, 585 and 391, contained in the above message, were referred to the Committee on Enrolled Bills.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 19, 1939.

Hon. J. Turner Butler,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed by the required Constitutional two-thirds vote of all members elected to the House of Representatives for the 1939 Session of the Florida Legislature:

By Senator Beacham—
Senate Bill No. 93:

A bill to be entitled An Act authorizing and directing a refund from the State Treasury to Palm Beach Mercantile Company, a Florida corporation, for payments made to Secretary of State upon its capital stock in excess of the amount required by it to be paid pursuant to Chapter 14677, Acts of 1931, as amended.

Also has passed by the required Constitutional two-thirds vote of all members elected to the House of Representatives for the 1939 Session of the Florida Legislature:

By Senator Dye—
Senate Bill No. 171:

A bill to be entitled An Act for the relief of W. H. Hicks on account of damages to personal property sustained by him through the negligent operation on the highway of a truck belonging to the State Road Department.

Very respectfully,
BEN H. FUQUA,

Chief Clerk House of Representatives.

And Senate Bills Nos. 93 and 171, contained in the above message, were referred to the Committee on Enrolled Bills.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 19, 1939.

Hon. J. Turner Butler,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed:

By Senators Horne, Adams, Parker, Wilson and Beall—
Senate Bill No. 19:

A bill to be entitled An Act authorizing and empowering the State Road Department of Florida to cooperate with any State adjoining the State of Florida, or the Highway Department of any such adjoining State or any political subdivision or other duly authorized agency therein, in the construction, building, or by participation in the cost or purchase, of any bridge, which extends from said adjoining State so that said bridge or one of its approaches physically connects, or when constructed will physically connect, any designated and established State Road of the State system of roads of Florida, to the extent of fifty (50%) percent of the construction cost of any such bridge, or the purchase price thereof.

Also—

By Senator Beall—
Senate Bill No. 29:

A bill to be entitled An Act relating to persons who have been adjudged insane or found incompetent, to provide for the service of process upon such persons and upon their guardians ad litem, and to regulate the procedure in suits against such persons.

Also—

Committee Substitute for Senate Bill No. 48:

A bill to be entitled An Act to amend Section 4784 of the Revised General Statutes of Florida of 1920, the same being Section 6870 of the Compiled General Laws of Florida of 1927, relating to the negotiable instruments laws, particularly omissions to give notice of dishonor; to amend Section 4786 of the Revised General Statutes of Florida of 1920, the same being Section 6872 of the Compiled General Laws of Florida of 1927 relating to the negotiable instruments law, particularly when instruments discharged.

Also—

By Senators Ward, Adams, Black, Hinely, Horne, Mapoles, Murphy, Sharit, Walker, Hodges and Kelly (16th)—

Senate Bill No. 80:

A bill to be entitled An Act prescribing and regulating certain fees to be allowed and charged by County Judges; providing that fees for similar services by County Judges and Clerks of the Circuit Court shall in all respects conform and shall be the same as the fees now or hereafter allowed by law to the Clerks of the Circuit Court.

Very respectfully,
BEN H. FUQUA,

Chief Clerk House of Representatives.

And Senate Bills Nos. 19 and 29, Committee Substitute for Senate Bill No. 48 and Senate Bill No. 80, contained in the above message, were referred to the Committee on Enrolled Bills.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 19, 1939.

Hon. J. Turner Butler,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed with amendments.

By Senator Beall—
Senate Bill No. 645:

A bill to be entitled An Act providing for tenure of employment of teachers under the age of 65 years in the public schools of Escambia County, Florida; defining terms used in said Act; providing when teachers are entitled to tenure of employment and the causes for which such teachers may be discharged or demoted and prescribing the procedure thereof; and conferring jurisdiction upon the Circuit Court to issue writs of mandamus and certiorari in order to give effect to the provisions of said Act.

Proof of Publication attached.

Which amendments read as follows:

Amendment No. 1:

In Section 5, line 23 (printed bill), strike out the period after the word "counsel," and insert the following:

"and both the Board of Public Instruction of the County and the teacher shall have the right to subpoena for the attendance of witnesses at such hearing, to be issued upon application by the Clerk of the Circuit Court of such county."

Amendment No. 2:

In Section 5, line 37 (printed bill), after the words "upon request", insert a comma.

Amendment No. 3:

In Section 5, line 38 (printed bill), after the words "such teacher" insert a comma.

Amendment No. 4:

In Section 5, line 39 (printed bill), after the word "filed" and before the word "in the", insert "within five days".

Amendment No. 5:

In Section 5, line 41 (printed bill), after the words "testimony and", strike out the remainder of said section and insert the following: "other evidence taken or produced at said hearing, a copy of which shall be furnished to said teacher without cost to him or her."

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And Senate Bill No. 645, contained in the above message, was read by title together with House Amendments thereto.

Senator Beall moved that the Senate do concur in House Amendment No. 1 to Senate Bill No. 645.

Which was agreed to and the Senate concurred in House Amendment No. 1 to Senate Bill No. 645.

Senator Beall moved that the Senate do concur in House Amendment No. 2 to Senate Bill No. 645.

Which was agreed to and the Senate concurred in House Amendment No. 2 to Senate Bill No. 645.

Senator Beall moved that the Senate do concur in House Amendment No. 3 to Senate Bill No. 645.

Which was agreed to and the Senate concurred in House Amendment No. 3 to Senate Bill No. 645.

Senator Beall moved that the Senate do concur in House Amendment No. 4 to Senate Bill No. 645.

Which was agreed to and the Senate concurred in House Amendment No. 4 to Senate Bill No. 645.

Senator Beall moved that the Senate do concur in House Amendment No. 5 to Senate Bill No. 645.

Which was agreed to and the Senate concurred in House Amendment No. 5 to Senate Bill No. 645.

And Senate Bill No. 645, as amended, was referred to the Committee on Engrossed Bills, and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 20, 1939.

Hon. J. Turner Butler,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed:

By Mr. Papy of Monroe—
House Bill No. 768:

A bill to be entitled An Act relating to alcoholic beverages, supplementing the Beverage Act of this State, providing that no wines shall be sold within this State in individual containers holding more than one gallon, and providing penalties for the violation thereof.

Also—

By Mr. Burks of Pasco—
House Bill No. 821:

A bill to be entitled An Act granting a pension to Nannie A. Tait of Dade City, Pasco County, Florida, widow of John Thomas Tait, deceased, Confederate veteran.

Also—

By Mr. Papy of Monroe—
House Bill No. 843:

A bill to be entitled An Act forbidding the sale of intoxicating liquors, other than malt beverages of legal alcoholic content, by the drink, except within the building or enclosure which is the address of the person or corporation holding license to sell such intoxicating liquors, and forbidding the practice known as curb or drive-in service with respect to such intoxicating liquors; forbidding the consumption thereof at curb or drive-in stands, except within the building or enclosure which is the address of the person, firm or corporation holding a license for the sale of such intoxicating liquors, and providing penalties for the violation hereof.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,
BEN H. FUQUA,

Chief Clerk House of Representatives.

And House Bill No. 768, contained in the above message, was read the first time by title only.

Senator Kelly (11th) moved that House Bill No. 768 be placed on the Calendar of Bills on second reading without reference.

Which was agreed to and it was so ordered.

And House Bill No. 821, contained in the above message, was read the first time by title only and referred to the Committee on Pensions and Claims.

And House Bill No. 843, contained in the above message, was read the first time by title only.

Senator Kelly (11th) moved that House Bill No. 843 be placed on the Calendar of Bills on second reading without reference.

Which was agreed to and it was so ordered.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 20, 1939.

Hon. J. Turner Butler,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed, by the required Constitutional two-thirds vote of all members elected to the House of Representatives for the 1939 Session of the Florida Legislature:

By Mr. Crary of Martin—
House Bill No. 193:

A bill to be entitled An Act providing for the relief of Mrs.

Dale E. Noyes, as guardian of Rosalee Malphurs, a minor; providing for the manner of payment; providing for the repeal of all laws in conflict herewith, and providing when this Act shall become effective.

Also has passed by the required Constitutional two-thirds vote of all members elected to the House of Representatives for the 1939 Session of the Florida Legislature.

By Mr. Smith of Clay—
House Bill No. 254:

A bill to be entitled An Act for the relief of Mary V. Cherry, widow, Clay County, Florida, and making an appropriation therefor, as compensation for the loss of her husband T. S. Cherry, who, as sheriff of Clay County, Florida, was killed while performing services in the line of duty.

Also has passed by the required Constitutional two-thirds vote of all members elected to the House of Representatives for the 1939 Session of the Florida Legislature.

By Mr. Harris of Alachua—
House Bill No. 497:

A bill to be entitled An Act for the relief of Mrs. Rhoda Ellis and making an appropriation to compensate her for the loss of her son, S. J. Ellis, who was killed by a shot fired from a machine gun by members of the Florida National Guard.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA,
Chief Clerk House of Representatives.

And House Bill No. 193, contained in the above message, was read the first time by title only and referred to the Committee on Pensions and Claims.

And House Bill No. 254, contained in the above message, was read the first time by title only.

Senator Dugger moved that House Bill No. 254 be placed on the Calendar of Bills on second reading without reference.

Which was agreed to and it was so ordered.

And House Bill No. 497, contained in the above message, was read the first time by title only and referred to the Committee on Pensions and Claims.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 20, 1939.

Hon. J. Turner Butler,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed:

By Mr. Ayers of Gilchrist—

House Bill No. 1364:

A bill to be entitled An Act fixing the compensation of members of the Board of County Commissioner in Counties of the State of Florida having a population of not less than four thousand one hundred and fifty (4,150) and not more than four thousand two hundred (4,200) according to the last preceding Florida State census; And repealing all laws in conflict herewith.

Also—

By Messrs. Holt, Lindsey and Overstreet of Dade—
House Bill No. 1472:

A bill to be entitled An Act to amend Chapter 15824, Laws of Florida, 1931, entitled "An Act to abolish the present municipal government of the Town of Fulford in the County of Dade and State of Florida and to organize and establish the City of North Miami Beach in the County of Dade and State of Florida and to organize and establish a city government for the same; to prescribe its jurisdiction and powers; to define its boundaries and to authorize the imposition of penalties for the violation of its ordinances; repealing certain laws and parts of laws in conflict herewith," as amended by Chapter 16583, Laws of Florida, 1933, entitled "An Act to confirm the present municipal government of the City of North Miami Beach to define and establish the boundaries of the said City, to define and establish the boundaries of its several boroughs, and to amend its present charter with respect to the powers and duties of its council and officials and with respect to the rights, powers, duties and privileges of the said City of North Miami Beach; and generally amend,

alter, change, add to and repeal provisions of the City of North Miami Beach," is hereby amended in the following respect, to validate and to confirm the action of the voters of the City of North Miami Beach, Florida, in redistricting the boroughs of the said City; to allow the Mayor a vote on the City Council under certain express conditions; to enable the City of North Miami Beach, Florida, to regulate and limit the type and manner of construction and the location and use of buildings, sign boards, and structures of all kinds; to regulate and determine the location, use and area of yards, courts and other open spaces, to regulate and restrict the location of trades and industries, and the use of premises and to authorize the creation of a City Planning and Zoning Commission of the City of North Miami Beach; to enable the City of North Miami Beach to sell city owned tax certificates for less than face value; to validate and confirm the boundaries of the City of North Miami Beach; to enable the voters of the City of North Miami Beach to recall and remove any elective City Official, and providing for a referendum election before this Act shall become effective.

Proof of Publication attached.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,
BEN H. FUQUA.

Chief Clerk House of Representatives.

And House Bill No. 1364, contained in the above message, was read the first time by title only.

Senator Black moved that the rules be waived and House Bill No. 1364 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1364 was read the second time by title only.

Senator Black moved that the rules be further waived and House Bill No. 1364 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 1364 was read the third time in full.

Upon the passage of House Bill No. 1364 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—37.

Nays—None.

So House Bill No. 1364 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

And House Bill No. 1472, contained in the above message, was read the first time by title only.

Senator Graham moved that the rules be waived and House Bill No. 1472 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1472 was read the second time by title only.

Senator Graham moved that the rules be further waived and House Bill No. 1472 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 1472 was read the third time in full.

Upon the passage of House Bill No. 1472 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (13th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—37.

Nays—None.

So House Bill No. 1472 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 20, 1939.

Hon. J. Turner Butler,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. Holt of Dade—

House Bill No. 510:

A bill to be entitled An Act granting a pension to H. W. Beaty of Dade County, Florida.

Also—

By Committee on Hotels & Inkeepers—

House Bill No. 640:

A bill to be entitled An Act to amend Section 33 of Chapter 16042, Laws of Florida, Acts of 1933, entitled, "An Act relating to hotels, inns, restaurants, apartment houses and public lodging houses, defining the same and prescribing rules for their operation and maintenance, so as to insure the safety and health of employees and patrons of the same: Providing for the inspection thereof, fees for same, and fixing fine and penalties for violation of such rules and regulations: And repealing all laws and parts of laws in conflict herewith".

Also—

By Mr. Papy of Monroe—

House Bill No. 736:

A bill to be entitled An Act to grant a special pension to Mrs. Lois Busto, of Monroe County, Florida, and for the appropriation of money to carry out this Act.

Also—

By Mr. Papy of Monroe—

House Bill No. 765:

A bill to be entitled An Act relating to alcoholic beverages, supplementing the Beverage Act of this State, providing that persons, firms, or corporations holding a license as a club for the sale of intoxicating beverages shall purchase such beverages only from wholesalers in sizes not larger than quarts, nor smaller than fifths of a gallon, and may sell such intoxicating beverages by drink only, and providing penalties for the violation hereof.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,
BEN H. FUQUA.

Chief Clerk House of Representatives.

And House Bill No. 510, contained in the above message, was read the first time by title only and referred to the Committee on Pensions and Claims.

And House Bill No. 640, contained in the above message, was read the first time by title only.

Senator Beacham moved that House Bill No. 640 be placed on the Calendar of Bills on second reading without reference.

Which was agreed to and it was so ordered.

And House Bill No. 736, contained in the above message, was read the first time by title only and referred to the Committee on Pensions and Claims.

And House Bill No. 765, contained in the above message, was read the first time by title only.

Senator Kelly (11th) moved that House Bill No. 765 be placed on the Calendar of Bills on second reading without reference.

Which was agreed to and it was so ordered.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 20, 1939.

Hon. J. Turner Butler,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed:

By Messrs. Dekle, Sheldon and Martin of Hillsborough—

House Bill No. 1372:

A bill to be entitled An Act authorizing and empowering the Boards of County Commissioners of the several Counties of the State of Florida to pave and maintain any road, byway,

or sidewalk adjacent to, or running through the property belonging to any school district or any county in the State of Florida where the material and equipment is available for such paving or maintenance, and declaring the paving or maintenance of such roads, byways, or sidewalks to be a public county purpose; providing for the authorization and declaring to be a public county purpose the planting and maintenance of trees, flowers, shrubbery, or other beautifying plants upon said school grounds where the plants and material for planting are available, providing that Boards of County Commissioners and Boards of Public Instruction in the several counties of the State shall be authorized to enter into and carry out such contract or agreement to be made with the others with reference to the county public purposes declared in this Act; repealing all laws in conflict herewith and naming an effective date for this Act.

Also—

By the Committee on Conservation—
House Bill No. 1380:

A bill to be entitled An Act authorizing the State Commission of Game and Fresh Water Fish to permit the closing of certain streams and lakes, or parts thereof, by the owners of property adjacent thereto, and the fencing thereof, for the purpose of establishing breeding grounds for, and to protect manatees or sea-cows.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,
BEN H. FUQUA,

Chief Clerk House of Representatives.

And House Bill No. 1372, contained in the above message, was read the first time by title only.

Senator Whitaker moved that the rules be waived and House Bill No. 1372 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1372 was read the second time by title only.

Senator Whitaker moved that the rules be further waived and House Bill No. 1372 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 1372 was read the third time in full.

Upon the passage of House Bill No. 1372 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dugger, Dye, Gillis, Gideons, Graham, Hodges, Holland, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lindler, Mapoles, Parrish, Price, Rose, Sharit, Whitaker, Wilson—27.

Nays—None.

So House Bill No. 1372 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

And House Bill No. 1380, contained in the above message, was read the first time by title only.

Senator Sharit moved that the rules be waived and House Bill No. 1380 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1380 was read the second time by title only.

Senator Sharit moved that the rules be further waived and House Bill No. 1380 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 1380 was read the third time in full.

Upon the passage of House Bill No. 1380 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—37.

Nays—None.

So House Bill No. 1380 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 20, 1939.

Hon. J. Turner Butler,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed by the required Constitutional two-thirds vote of all members of the House of Representatives present on May 18, 1939, the Governor's objection to the contrary notwithstanding.

By Mr. McCarty of St. Lucie—

House Bill No. 205:

A bill to be entitled An Act for the relief of M. E. Decker. And respectfully requests the concurrence of the Senate therein.

Very respectfully,
BEN H. FUQUA,
Chief Clerk House of Representatives.

And House Bill No. 205, contained in the above message, was read by title, together with the Governor's objections thereto as follows:

TO THE SPEAKER AND MEMBERS OF THE HOUSE OF REPRESENTATIVES:

To The Speaker and Members of the
House of Representatives,

House Chamber,
The Capitol.

Sirs:

Pursuant to authority vested in me as Governor under provisions of Section 28, Article III of the Constitution of Florida, I am transmitting with my objections thereto, House Bill No. 205, entitled:

"An Act for the relief of M. E. Decker."

I am withholding my approval of this bill for the following reasons:

1. Because the State is not liable to M. E. Decker for illness caused his son, Larry Earl Decker, from an infection as a result of vaccination. This was a humane treatment for the protection of the health of the claimant's son and for the protection of the public, which was done by the State of Florida, free of charge. I can see no reason why the State would be liable for such damage.

2. The State of Florida does much charitable work for people in need and for the sick. Because of some unforeseen happening, such as infection, with which the State had nothing to do, I fail to see why the State should be held liable.

3. If this claim should be paid under this bill then any claim where the State Officials were to do anything free of charge, in assisting the unfortunate or needy in prevention of disease and some sickness or injury should result therefrom, then the State would be liable for anything that might happen.

4. Because the Bill does not state that it was caused on account of the negligence of the State of Florida or any of its said officers.

5. While the claim is for a small amount of money, still the principle is there and if this precedent should be established, every time the State Board of Health, through any of its agencies, went to the assistance of the public's health, it would be liable for damages, therefore, I am obliged to veto this claim.

Respectfully yours,
FRED P. CONE,
Governor.

The President put the question: "Shall the bill pass, the Governor's objections to the contrary notwithstanding?"

Upon the passage of House Bill No. 205 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Black, Coulter, Dugger, Gideons, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Mapoles, McKenzie, Parker, Parrish, Savage, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—26.

Nays—Senators Clarke, Dye, Gillis, Hinely, Lindler, Price—6.

So House Bill No. 205 passed by the required Constitutional

two-thirds vote of all members present, the Governor's objections to the contrary notwithstanding, and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 20, 1939.

Hon. J. Turner Butler,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed:

By Mr. Butt of Brevard—

House Bill No. 1491:

A bill to be entitled An Act to create, establish and organize a Port District in Brevard County, State of Florida, to be known and designated as Canaveral Port District, to define its territorial boundaries, to provide for its government and administration, jurisdiction, powers, franchises and privileges; to provide for seven Commissioners, all of whom shall be freeholders in said district, who shall be the governing authority of said district; to authorize the governing authority to construct and maintain in said district a deep water ship harbor with port terminal facilities, with power to grant franchises for the construction and maintenance of same; to provide the governing authority with power to obtain assistance and appropriations from the Government of the United States, with the power of eminent domain and with power to fix uniform port and terminal charges, make uniform rules and regulations for the conduct of navigation within the District and to appoint a Port Manager, provide for the granting of franchises, and the exercise of such police powers as are necessary for the effective regulation and operation of the port

Proof of Publication attached.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,
BEN H. FUQUA.

Chief Clerk House of Representatives.

And House Bill No. 1491, contained in the above message, was read the first time by title only.

Senator Parrish moved that the rules be waived and House Bill No. 1491 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1491 was read the second time by title only.

Senator Parrish moved that the rules be further waived and House Bill No. 1491 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 1491 was read the third time in full.

Upon the passage of House Bill No. 1491 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holla, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—37.

Nays—None.

So House Bill No. 1491 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 20, 1939.

Hon. J. Turner Butler,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed:

By Mr. Stewart of Hendry—

House Bill No. 13:

A bill to be entitled An Act to provide for the purchase,

distribution and administration of insulin in the State of Florida by the State Board of Health; making the appropriation therefor and creating a fund to be known as the Insulin Fund, and providing for a penalty for making fraudulent application for same.

Also—

By Mr. Martin of Hillsborough—

House Bill No. 61:

A bill to be entitled An Act granting a Confederate pension to Darwin Branch Givens, of Hillsborough County, Florida.

Also—

By Mr. Smith of Clay—

House Bill No. 170:

A bill to be entitled An Act to amend Sections 1 and 3 of Chapter 17252, Laws of Florida, Acts of 1935, being "An Act to require all owners or operators of school busses to secure and keep in force liability insurance on each of such busses, and to authorize County Boards of Public Instruction and/or trustees or special tax school districts to insure against accident to children while being transported to or from school," so as to provide that County Boards of Public Instruction or trustees of special tax school districts shall pay the premiums on all such liability insurance.

Also—

By Mr. Ray of Manatee—

House Bill No. 201:

A bill to be entitled An Act granting a pension to Susie Sauls of Manatee County, Florida.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,
BEN H. FUQUA.

Chief Clerk House of Representatives.

And House Bill No. 13, contained in the above message, was read the first time by title only and referred to the Committee on Public Health.

And House Bill No. 61, contained in the above message, was read the first time by title only.

Senator Whitaker moved that House Bill No. 61 be placed on the Calendar of Bills on second reading, without reference.

Which was agreed to and it was so ordered.

And House Bill No. 170, contained in the above message, was read the first time by title only and referred to the Committee on Education.

And House Bill No. 201, contained in the above message, was read the first time by title only and referred to Committee on Pensions and Claims.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 20, 1939.

Hon. J. Turner Butler,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed:

By Messrs. Moore and Collins of Leon—

House Bill No. 1053:

A bill to be entitled An Act to amend Section 2152, Compiled General Laws 1927, the same being Section 1474, Revised General Statutes 1920, the same being Chapter 5968, Laws of Florida, Acts of 1909, said laws requiring the several Boards of County Commissioners of the State of Florida to lay out and define the various County Commissioners' districts that the boundary lines of such districts shall not divide any voting district or precinct, the effect of this amendment being to allow boundary lines of Commissioners' districts to divide voting districts or precincts in counties where County Commissioners and School Board members are nominated at large.

Also—

By Messrs. Holt, Lindsey and Overstreet of Dade—

House Bill No. 1242:

A bill to be entitled An Act to provide that Juvenile Courts in those counties of this State which by any preceding official State or Federal census shall now have or may hereafter have,

a population of over 180,000, and be presided over by a Judge admitted to practice law in this State, shall hereafter be known as Juvenile and Domestic Relations Courts; to provide for additional jurisdiction thereof over certain adults and other persons herein defined when any child under seventeen years of age is involved, including the enforcement of orders in child custody, and support, and alimony cases, connected with separation or divorce proceedings, where any child involved therein is threatened with becoming dependent, and also over adoption, annulment and family support proceedings in certain cases; to declare the existence and presumption of certain legal duties as to children under seventeen years of age, and provide for the enforcement thereof, and penalties for violation, and jurisdiction over criminal cases under certain conditions; to provide for support by parents in whole or in part for children in public or private institutions; to provide that the Judge of said Court shall have the power of a Committing Magistrate, and shall not engage in the private practice of law; to provide for all officers and employees of such Courts and fix their qualifications, duties, salaries, compensation and expenses and provide for the payment thereof, including all expenses of such Court, from the General Fund of the county in which located, by the levy of taxes by the County Commissioners of any such county for such purpose; to provide penalties for the violation of this Act; to provide for the collection of costs in certain cases; to provide that an employee of such Court may also be appointed and serve as a Deputy Sheriff under certain conditions when approved by the Sheriff; to provide for appeals; to repeal all conflicting laws herewith, and to provide for all other purposes reasonably incidental.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And House Bill No. 1053, contained in the above message, was read the first time by title only and referred to the Committee on Privileges and Elections.

And House Bill No. 1242, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on second reading.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 19, 1939.

Hon. J. Turner Butler,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. Peeples of Glades—
House Bill No. 463:

A bill to be entitled An Act to cancel certain State and County taxes and to cancel and annual tax certificates now held by the State of Florida, including all interest, fees and expenses connected therewith upon certain properties belonging to the City of Moore Haven, in Glades County, Florida, and authorizing the proper State and County officers to cancel and annul the same, and repeal all laws in conflict herewith.

Also—

By Messrs. Christie, Harrell and Warren of Duval—
House Bill No. 842:

A bill to be entitled An Act to amend Sections 3, 4, 7, 8, 14, 15, 16, 19, 32 and 34, and Section 39, as amended, and Section 41, of Chapter 15356, Laws of Florida, 1931, entitled: "An Act to detach certain territory from the territory of the City of Jacksonville Beach, as defined by Chapter 10719, Laws of Florida, 1925, and to create and establish in and for the territory so detached, and other territory, as in this Act defined, a municipality to be known as the Town of Neptune Beach; to provide for its government, and to define its jurisdiction and powers, which said sections relate to the powers and jurisdiction of said Town; its government; election of Mayor and Councilmen and fixing dates therefor; the terms of office of its officials; the powers and jurisdiction of the Town Council; the passage of ordinances by the Town Council; the appointment of employees and appointive officials; the making of public improvements; franchises and franchise elections; and other related matters.

Proof of Publication Attached.

Also—

By Mr. Ayers of Gilchrist—
House Bill No. 1365:

A bill to be entitled An Act fixing the compensation of members of the Board of Public Instruction in the Counties of the State of Florida having a population of not less than 4,150 and not more than 4,200 according to the last preceding Florida State census: And repealing all laws in conflict herewith.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And House Bill No. 463, contained in the above message, was read the first time by title only and referred to Committee on Finance and Taxation.

And House Bill No. 842, contained in the above message, was read the first time by title only.

Senator Kanner moved that the rules be waived and House Bill No. 842 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 842 was read the second time by title only.

Senator Kanner moved that the rules be further waived and House Bill No. 842 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 842 was read the third time in full.

Upon the passage of House Bill No. 842 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—37.

Nays—None.

So House Bill No. 842 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

And House Bill No. 1365, contained in the above message, was read the first time by title only.

Senator Black moved that the rules be waived and House Bill No. 1365 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1365 was read the second time by title only.

Senator Black moved that the rules be further waived and House Bill No. 1365 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 1365 was read the third time in full.

Upon the passage of House Bill No. 1365 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—37.

Nays—None.

So House Bill No. 1365 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 20, 1939.

Hon. J. Turner Butler,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed by the required Constitutional three-fifths vote of all members

elected to the House of Representatives for the 1939 Session of the Legislature:

Committee Substitute for House Joint Resolution No. 45:

A Joint Resolution proposing an amendment to Article IX of the Constitution of the State of Florida, relating to taxation and finance, by adding thereto an additional section authorizing the Legislature of the State of Florida to allocate and distribute to the several Counties of the State, certain excise taxes now levied and collected and to be hereafter levied and collected by the State of Florida.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

That the following amendment to Article IX of the Constitution of the State of Florida, relating to taxation and finance, by adding thereto an additional section to be known as Section 15 of said Article IX, authorizing the Legislature of the State of Florida to allocate and distribute to the several Counties of the State, certain excise taxes now levied and collected and to be hereafter levied and collected by the State of Florida, is hereby agreed to and shall be submitted to the electors of the State of Florida for ratification or rejection at the next general election of Representatives to be held in 1940, as follows:

"Section 15. The Legislature shall have the power to allocate and distribute to the several Counties of the State, in such sums and amounts, and at such times as the Legislature shall determine, any portion of or all excise taxes now levied and collected, or hereafter levied or collected, by the State of Florida from the operation of race tracks, sporting exhibitions, and pari-mutuel pools."

And respectfully requests the concurrence of the Senate therein.

Very respectfully,
BEN H. FUQUA,

Chief Clerk House of Representatives.

And Committee Substitute for House Joint Resolution No. 45, contained in the above message, was read the first time in full and referred to the Committee on Constitutional Amendments.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 19, 1939.

Hon. J. Turner Butler,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed:

By Messrs. Burwell and Leaird of Broward, Beck and Morrow of Palm Beach and Lindsey of Dade—

House Bill No. 1062:

A bill to be entitled An Act to prohibit the discharge of firearms, except by persons herein exempted, upon, across and within one-quarter mile of State Road No. 26, in Palm Beach, Broward, and Dade Counties, Florida, and/or State Road No. 25 in Palm Beach County, Florida, and providing a penalty for violations of the provisions of this Act.

Also—

By Messrs. Sheldon, Dekle and Martin of Hillsborough—
House Bill No. 1486:

A bill to be entitled An Act prescribing the qualifications and fixing the salaries of the Members of the Board of Representatives of the City of Tampa, Florida, and amending provisions of the City Charter relating thereto.

Proof of Publication attached.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,
BEN H. FUQUA,

Chief Clerk House of Representatives.

And House Bill No. 1062, contained in the above message, was read the first time by title only.

Senator Beacham moved that the rules be waived and House Bill No. 1062 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1062 was read the second time by title only.

Senator Beacham moved that the rules be further waived

and House Bill No. 1062 be read the third time in full and put upon its passage

Which was agreed to by a two-thirds vote.

And House Bill No. 1062 was read the third time in full.

Upon the passage of House Bill No. 1062 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—37.

So House Bill No. 1062 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

And House Bill No. 1486, contained in the above message, was read the first time by title only.

Senator Whitaker moved that the rules be waived and House Bill No. 1486 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1486 was read the second time by title only.

Senator Whitaker offered the following amendment to House Bill No. 1486:

Strike out Sections (2) and (3), and insert the following: Section (2) That Section 17 of the revised charter of the City of Tampa, Florida, adopted by the vote of the people of said city on the 6th day of December, 1927, be and the same is hereby amended to read as follows: "Sec. 17. Each member of the Board of Representatives for at least two years immediately prior to his election, shall have been and during his term of office shall continue to be a resident of the City of Tampa, and shall have all of the qualifications of an elector therein and for at least three months immediately prior to his election shall have been and during his term of office shall continue to be a resident of the district from which he is elected. A member of the Board of Representatives shall not, during his term of office, hold any other public office, except, that he may be an officer with the State Militia and a Notary Public."

Section (3) All laws or parts of laws in conflict herewith be and the same are hereby repealed.

Section (4) This Act shall become effective immediately upon its becoming a law.

Senator Whitaker moved the adoption of the amendment. Which was agreed to and the amendment was adopted.

Senator Whitaker moved that the rules be further waived and House Bill No. 1486, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 1486, as amended, was read the third time in full.

Upon the passage of House Bill No. 1486, as amended, the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—37.

Nays—None.

So House Bill No. 1486 passed, as amended, and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 22, 1939.

Hon. J. Turner Butler,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed:

House Memorial No. 10:

A Joint Memorial of the Legislature of the State of Florida to Honorable Franklin D. Roosevelt, President of the United States, and Honorable Cordell Hull, Secretary of State, of the United States.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,
BEN H. FUQUA,

Chief Clerk House of Representatives.

And House Memorial No. 10, contained in the above message, was read the first time in full.

Senator Johns moved that the rules be waived and House Memorial No. 10 be read the second time in full.

Which was agreed to by a two-thirds vote.

And House Memorial No. 10 was read the second time in full.

The question was put on the adoption of the Memorial.

Which was not agreed to and House Memorial No. 10 failed of adoption.

Senator Gillis moved that the rules be waived and the Senate do now reconsider the vote by which House Memorial No. 10 failed of adoption.

Which was agreed to by a two-thirds vote, and the Senate reconsidered the vote by which House Memorial No. 10 failed of adoption.

The question recurred on the adoption of House Memorial No. 10.

Which was agreed to and House Memorial No. 10 was adopted and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 20, 1939.

Hon. J. Turner Butler,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. Ayers of Gilchrist—
House Bill No. 1015:

A bill to be entitled An Act granting a Confederate pension to J. Hance Osteen, of Gilchrist County, Florida.

Also—
By Mr. Getzen of Sumter—
House Bill No. 1299:

A bill to be entitled An Act granting a school pension to Lou Sutton of Sumter County, Florida.

Also—
By Mr. Lewis of Gulf—
House Bill No. 1476:

A bill to be entitled An Act appropriating the sum of One Thousand Dollars (\$1,000.00) or so much thereof as shall be necessary to pay deficit that will exist in the necessary and regular expense fund of the Board of Commissioners of State Institutions prior to or on July 1st, 1939, by reason of the fact that the appropriation made to said board was and is insufficient to take care of the necessary and regular expense of said Board of Commissioners of State Institutions.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,
BEN H. FUQUA,

Chief Clerk House of Representatives.

And House Bill No. 1015, contained in the above message, was read the first time by title only.

Senator Black moved that House Bill No. 1015 be placed on the Calendar of Bills on second reading without reference.

Which was agreed to and it was so ordered.

And House Bill No. 1299, contained in the above message, was read the first time by title only and referred to the Committee on Pensions and Claims.

And House Bill No. 1476, contained in the above message, was read the first time by title only and referred to the Committee on Appropriations.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 22, 1939.

Hon. J. Turner Butler,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed:

By Mr. Papy of Monroe—
House Bill No. 767:

A bill to be entitled An Act to amend Sub-Section (a) of Section 4 of Chapter 16774, Acts of 1935, entitled, "An Act regulating and taxing the manufacture, distribution and sale of beverages containing more than one per centum of alcohol, creating and providing for a State Beverage Department, providing penalties for the violation of this Act and repealing existing laws concerning said beverages."

Also—

By the Committee on Public Health—
House Bill No. 1092:

A bill to be entitled An Act to prohibit the manufacture, sale, disposal, or movement in commerce within the State of Florida, of adulterated or misbranded foods, drugs, devices and cosmetics; prohibiting the false advertisement and guaranteeing of foods, drugs, devices and cosmetics; providing definitions for terms as used in this Act: providing that the Commissioner of Agriculture may obtain injunctions in certain cases: providing penalties for the violation hereof: providing for the detention or embargo of foods, drugs, devices or cosmetics suspected of being in violation of this Act: providing for the destruction of articles of food, drugs, devices and cosmetics in violation of this Act: requiring the various attorneys to prosecute violations of this Act: allowing for minor violations of this Act to be handled without court proceedings: directing the Commissioner of Agriculture to establish definitions and standards of identity, or quality or fill of container and sanitary regulations with reference to manufacture: defining adulterated food, drugs, devices and cosmetics: providing what constitutes misbranded food, drugs, devices and cosmetics: providing for licenses and permits for food establishments in emergencies prohibiting the sale of new drugs unless and until such drug has been approved for sale by the Secretary of Agriculture of the United States or by the Commissioner of Agriculture and providing the manner in which the Commissioner shall approve such application for the sale of a new drug within the State of Florida: authorizing the Commissioner to promulgate regulations for the enforcement of this Act: providing for the appointment of inspectors, and for the inspection and analysis of foods, drugs, devices and cosmetics and the establishments where such products are manufactured or stored and for the cost of procuring and analyzing such samples: providing for the publication of the findings under this Act: repealing all laws and parts of laws in conflict with this Act: and for other purposes.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,
BEN H. FUQUA,

Chief Clerk House of Representatives.

And House Bill No. 767, contained in the above message, was read the first time by title only.

Senator Kelly (11th) moved that House Bill No. 767 be placed on the Calendar of Bills on second reading without reference.

Which was agreed to and it was so ordered.

And House Bill No. 1092, contained in the above message, was read the first time by title only.

Senator McKenzie moved that House Bill No. 1092 be placed on the Calendar of Bills on second reading without reference.

Which was agreed to and it was so ordered.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 22, 1939.

Hon. J. Turner Butler,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed:

By Mr. Christie of Duval—
House Bill No. 42:

A bill to be entitled An Act providing for the formation of limited partnerships, prescribing the purposes for which such partnerships may be formed and the rights and liabilities of general and limited partners; the rights of creditors of limited partnerships, and providing for the dissolution and liquidation of such partnerships.

Also—

Committee Substitute for House Bills Nos. 59, 60, 101, 198, 255, 256, 269, 1266:

A bill to be entitled An Act to provide State Public Safety: To that end to create the State Department of Public Safety; to prescribe its membership, duties, powers and authority; to provide for divisions of such department, for the employees thereof and duties and compensation; to provide for the license of chauffeurs and other operators of motor vehicles as herein defined; to provide for certain liabilities, penalties and punishment in such operation; to provide for the selection and compensation of the personnel of the division of State Highway Patrol of said department and their duties; to provide for other matters in connection with Public Safety; and making certain funds available for the purpose of carrying out the provisions hereof.

Also—

By Messrs. Leaird and Burwell of Broward—
House Bill No. 1228:

A bill to be entitled An Act requiring all persons engaged in business or professions in the State of Florida, except corporations using other than their own proper names, to register the trade name or whatever name they are doing business under, and the extent of interest of all persons concerned, with the Clerk of the Circuit Court of the County where the principal place of business is, as part of the public records, and the penalty for non-compliance.

And respectfully requests the concurrence of the Senate therein

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And House Bill No. 42, contained in the above message, was read the first time by title only.

Senator Kanner moved that House Bill No. 42 be placed on the Calendar of Bills on second reading without reference.

Which was agreed to and it was so ordered.

And Committee Substitute for House Bills Nos. 59, 60, 101, 198, 255, 256, 269 and 1266, contained in the above message, was read the first time by title only and referred to the Committee on Motor Vehicles.

And House Bill No. 1228, contained in the above message, was the first time by title only and referred to the Committee on Judiciary "B".

The following Message from the House of Representatives was received and read:

May 22, 1939.

Hon. J. Turner Butler,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Senator Dame—
Senate Bill No. 279:

A bill to be entitled An Act to provide for the regulation, supervision and control of the production, processing, bottling, transportation, storage, distribution and sale of milk, cream and milk products, including regulation of prices, and for this purpose to create a milk commission, defining its jurisdiction, powers and duties; to declare that an emergency exists and is continuing; to provide for the appointment, suspension, removal, compensation, costs and expenses of such commission and the members thereof, officers, agents, administrators and employees thereof; to provide for licensing of producers, producer-distributors, distributors and milk dealers; to provide for the raising of funds through license fees and other charges for the administration of this Act; to provide for the disposition of the revenue collected hereunder, and to impose penalties for violation of the provisions of this Act; to provide for the legal succession by this commission herein created of the

milk board established by Chapter 18,022, Laws of Florida, Acts of 1937.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And Senate Bill No. 279, contained in the above message, was referred to the Committee on Enrolled Bills.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 22, 1939.

Hon. J. Turner Butler,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives concurred in Senate Amendment to:

House Bill No. 16:

A bill to be entitled An Act providing for re-registration of voters in Counties having a population of not less than eleven thousand six hundred and not more than eleven thousand seven hundred.

Which Amendments read as follows:

Senate Amendment No. 1:

In Section 1, Add Section 1-A, to read as follows:

Section 1-A. It shall be the duty of the County Registration officer or his agents to travel over the county and see that all those who are duly qualified to register or re-register in said county who have resided therein for a period of six (6) months, and in the state for not less than a period of one (1) year, are given a chance to register or re-register, for which service the registration officer or his agents shall receive a fee or not more than 3c (three cents) per head.

Senate Amendment No. 2:

Strike out all of Section four (4), and insert the following:

Section 4. The County Registration books of counties having the population as stated in Section 1, shall close not less than 30 days prior to the time of holding any primary, special or general election, in the state of Florida, and they shall remain closed for a period of not less than 30 days after the holding of said general elections, special elections, or primary elections.

Senate Amendment No. 3:

Add Section 4-A, to read as follows:

Section 4-A. Anyone registering or re-registering and furnishing false information in regards to their age, length of time they have resided in the county or state, shall be deemed guilty of misdemeanor. Upon conviction therefor, he or she shall be fined not less than twenty-five dollars (\$25.00) or ninety (90) days in the county jail at hard labor or both in the discretion of the convicting magistrate.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 22, 1939.

Hon. J. Turner Butler,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has concurred in Senate Amendments to:

House Bill No. 180:

A bill to be entitled An Act for the promotion and encouragement of water craft industry; exempting pleasure yachts and boats of non-resident ownership which are enrolled, registered or licensed at ports in State or Countries other than the State of Florida, from personal property tax and repealing all laws in conflict herewith.

Which amendments read as follows:

Senate Amendment No. 1:

In Section 1, line 4, after the word "Florida" (typewritten bill), insert: "and deep sea fishing vessels of Florida owners documented, registered, or enrolled under laws of the United States."

Senate Amendment No. 2:

In Section 1, line 8 (typewritten bill), insert: After the word "Florida," insert a comma and the following words "or imposed by any county or municipality of the State."

Senate Amendment No. 3:

In title, line 2 (typewritten bill), change the semi-colon to a comma and insert the words "and Florida deep sea fishing industry" and after the word "exempting" in said line insert the words "registered or enrolled or documented deep sea fishing vessels of Florida owners, and also exempting."

Senate Amendment No. 4:

In preamble, immediately after title (typewritten bill), insert: "Whereas, the deep sea fishing industry is of great benefit to the commerce of the State, and provides employment to a large number of Florida citizens, and"

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 22, 1939.

Hon. J. Turner Butler,

President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has concurred in Senate Amendment to:

House Bill No. 1046:

A bill to be entitled An Act to amend Section 4621, Revised General Statutes, 1920, (the same being Section 6707, Compiled General Laws of Florida, 1927), relating to the power of the Railroad Commissioners to require necessary facilities, etc.

Which Amendment reads as follows:

Senate Amendment No. 1:

In Section 1, line 2, after the word "Section" strike out the figures "6706", and insert the following: "6707."

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 18, 1939.

Hon. J. Turner Butler,

President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has concurred in Senate Amendment to:

House Bill No. 172:

A bill to be entitled An Act, to be cited as the "Rural Electric Cooperative Act," to provide for the organization, operation and management of cooperative, non-profit, membership corporations, referred to as "Cooperatives," for the purpose of engaging in rural electrification by supplying electric energy and promoting and extending the use thereof in rural areas; prescribing the powers of such cooperatives, the inclusion of certain words in the names thereof, the number and character of the incorporators, the contents and manner of execution of the articles of incorporation and by-laws thereof, the qualifications of members, the meetings of such members and the voting privileges thereof, the election of boards of trustees, the meetings, terms, quorum, powers and other matters relating thereto, provisions for voting districts, for the election of trustees and delegates, and provisions relating to the appointment and removal of officers and their powers and duties; prescribing the method of the amendment of the articles of incorporation of such cooperatives and for the consolidation, and merger thereof and the effect of such consolidation or merger; prescribing the method of conversion of existing corporations into such cooperatives; prescribing for the initiative of members by petition; prescribing the method of dissolution of such cooperatives; prescribing the method of filing articles thereof; prescribing for the disposition of the revenues of such cooperatives and for the distribution of patronage refunds; prescribing for the disposition of the property of such cooperatives under certain conditions,

for the non-liability of members for the debts of such cooperatives, for the recordation of mortgages, deeds of trust and other instruments executed thereby, for waiver of notice required by this Act and for trustees, officers or members serving as notaries public; prescribing for the qualification of similar foreign corporations for the transaction of business in this State; prescribing certain filing fees; prescribing an annual license fee to be paid by such corporatives and exempting them from excise taxes; providing for the exemption of such cooperatives from commission jurisdiction and from the provisions of the Uniform Sale of Securities Act; defining certain terms; prescribing for the liberal construction of this Act, the separability of its provisions and that the terms thereof shall be controlling and further prescribing the effective date thereof.

Which amendment is as follows:

Senate Amendment No. 1:

In Section 3, sub-section (d) (typewritten bill), strike out the following words: After the words, "of its members," "provided, however, that no cooperative shall distribute or sell any electric energy within any town, city or area, which is now being served, or which at the time of entry, or offer by a cooperative to enter, is being served by any utility agency, privately or municipally owned, or by any individual, partnership or corporation," and insert in lieu thereof the following: "provided, however, that no cooperative shall distribute or sell any electricity, or electric energy to any person residing within any town, city or area which person is receiving adequate central station service or who at the time of commencing such service, or offer to serve, by a cooperative, is receiving adequate central station service from any utility agency, privately or municipally owned, individual, partnership or corporation."

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 18, 1939.

Hon. J. Turner Butler,

President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has concurred in Senate Amendment to:

House Bill No. 1124:

A bill to be entitled An Act prohibiting the change in location of or the abandonment of any part or section of that portion of State Road No. 140 lying in Palm Beach County, the same being known as the Ocean Boulevard in Palm Beach County, without first submitting the question to the qualified electors of said County for them to determine by a majority vote whether or not the location of any part or section of that portion of State Road No. 140 lying in Palm Beach County, the same being known as the Ocean Boulevard in Palm Beach County, shall be changed or abandoned; providing for the calling and holding of an election in such case and providing penalties for the violation of said Act; providing for a referendum herein; repealing all laws in conflict herewith.

Which amendment reads as follows:

After Section 4, add Section 4-A:

Section 4-A. Nothing in this Act shall effect that portion of State Road 140 (Ocean Boulevard) as the same is now located and deeded to the State of Florida for State highway purposes, and/or as the same is now being condemned for State road purposes, between Delray Beach and Boca Raton Inlet.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 23, 1939.

Hon. J. Turner Butler,

President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has concurred in Senate Amendment to:

House Bill No. 907:

A bill to be entitled An Act amending Section Two of the Charter of the City of Plant City, relating to boundaries and jurisdiction of said city, so that the territorial limits and jurisdiction defined shall be contracted and reduced.

Proof of Publication attached.

Which amendment reads as follows:

Senate Amendment No. 1:

In Section 2, line 14 (typewritten bill), after the semicolon, strike out the words: "thence South following the half-section line to the Northwest corner of the Southwest Quarter of the Southeast Quarter of Section 20, a distance of one-quarter mile more or less; thence West following the quarter-section line to the Northwest corner of the Southwest Quarter of the Southwest Quarter of Section 20, a distance of one-half mile more or less; thence South following section line to the Northeast corner of the Southeast Quarter of Section 30, a distance of three-fourths mile more or less," and insert in lieu thereof the following: "thence South following the half-section line to the Northeast Corner of the South half of the Northeast Quarter of the Southwest Quarter of Section 20, a distance of $\frac{1}{8}$ mile more or less; thence west along the eighth section line to the Northwest Corner of the South one-half of the Northeast Quarter of the Southwest Quarter of Section 20, a distance of one-quarter mile more or less; thence North along the Quarter Section line to the Northeast Corner of the Northwest Quarter of the Southwest Quarter of Section 20, a distance of $\frac{1}{8}$ mile more or less; thence West along the $\frac{1}{2}$ Section line to the Northwest Corner of the Southwest Quarter a distance of $\frac{1}{4}$ mile more or less, thence South following the Section line to the Northeast Corner of the Southeast Quarter of Section 30, a distance of one mile more or less."

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 23, 1939.

Hon. J. Turner Butler,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has concurred in Senate Amendments to:

House Bill No. 268:

A bill to be entitled An Act relating to Boards of Public Instruction of the several counties of the State of Florida having a population of not less than 50,000 inhabitants according to the last Federal or State census; authorizing and empowering such State Boards to establish Junior Colleges in their respective counties or to take over Junior Colleges already established and to maintain such Junior Colleges out of the General School Fund of the county.

Which Amendments read as follows:

Senate Amendment No. 1:

At the end of Section 1 add the following sentence: "Providing that the provisions of this Act shall not apply to St. Petersburg Junior College in Pinellas County."

Senate Amendment No. 2—

In Title, line five (typewritten bill) strike out the words: "State Boards" and insert in lieu thereof the following: "Boards of Public Instruction."

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 23, 1939.

Hon. J. Turner Butler,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform

the Senate that the House of Representatives has concurred in Senate Amendments to:

House Bill No. 1377:

A bill to be entitled An Act requiring delivery of all bonds and coupons issued by the Board of Public Instruction for the County of Dade, State of Florida, whether countywide or Special Tax School District obligations, and which have been or may hereafter be received by the Clerk of the Circuit Court of Dade County, Florida, in settlement of delinquent taxes under the provisions of Chapter 16252, Laws of 1933, known as the "Futch Law," to the Board of Public Instruction for the County of Dade, State of Florida, and providing for the cancellation of said bonds and coupons by said Board of Public Instruction for the County of Dade, State of Florida, and for the repeal of all laws in conflict herewith.

Which amendments read as follows:

Senate Amendment No. 1:

In Title, lines 3 and 4 (typewritten bill) strike out the words: "Whether countywide or Special Tax School District obligations"; and insert in lieu thereof the following: "Which are county-wide obligations."

Senate Amendment No. 2:

In Section 1, lines 3, 4 and 5 (typewritten bill), strike out the words: "whether issued as County wide obligations or as obligations of Special Tax School Districts of said County"; and insert in lieu thereof the following: "which are issued as county-wide obligations of said County, and"

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 23, 1939.

Hon. J. Turner Butler,

President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed by the required Constitutional two-thirds vote of all members elected to the House of Representatives for the 1939 Session of the Florida Legislature:

By Messrs. Douglas and Fearnside of Putnam—

House Bill No. 272:

A bill to be entitled An Act for the relief of W. R. Neaville, L. S. Johnson & Son, Le. E. Hart, Leon Bradshaw, E. F. Perin, W. J. Nunn, I. F. Andia, W. M. Mann, C. E. Underwood, W. J. Banks & Son, W. N. Cook, and W. G. Page, all of Putnam County, Florida, and providing for a refund of State and County license taxes erroneously collected against these persons.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And House Bill No. 272, contained in the above message, was read the first time by title and referred to the Committee on Pensions and Claims.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 23, 1939.

Hon. J. Turner Butler,

President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed:

House Memorial No. 11:

A House Memorial requesting the Congress of the United States to enact laws providing for an increase in the scale of wages paid to employees of the Works Progress Administration in the State of Florida.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And House Memorial No. 11, contained in the above message, was read the first time in full.

Senator Johns moved that the rules be waived and House Memorial No. 11 be read the second time in full.

Which was agreed to by a two-thirds vote.

And House Memorial No. 11 was read the second time in full.

The question was put on the adoption of the Memorial.

Which was agreed to and House Memorial No. 11 was adopted and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 23, 1939.

Hon. J. Turner Butler,

President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed:

By Messrs. Martin, Marchant and Sinclair of Polk—
House Bill No. 624:

A bill to be entitled An Act to protect good will represented by trade marks, names or brands, against injury by authorizing contracts establishing resale prices on commodities bearing them and defining as unfair competition and making actionable knowingly and wilfully to advertise and sell such commodities at less than the prices established in the contracts authorized by this Act, whether the person so advertising and selling is or is not a party to such contract.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA.

Chief Clerk House of Representatives.

And House Bill No. 624, contained in the above message, was read the first time by title only.

Senator Holland moved that the rules be waived and House Bill No. 624 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 624 was read the second time by title only.

Senator Holland moved that the rules be further waived and House Bill No. 624 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 624 was read the third time in full.

Upon the passage of House Bill No. 624 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Clarke, Coulter, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Sharit, Walker, Ward, Whitaker, Wilson—33.

Nays—None.

So House Bill No. 624 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 23, 1939.

Hon. J. Turner Butler,

President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has adopted:

By Mr. Lewis of Gulf—

House Concurrent Resolution No. 12:

WHEREAS George VI and Elizabeth, King and Queen of Great Britain and Ireland and of the Dominions beyond the Seas, Emperor and Empress of India, soon will be honored guests of the United States, and,

WHEREAS their Majesties intend to visit the World's Fair

at New York while on their visit in the United States, and,

WHEREAS Florida's Exhibit at the World's Fair is attracting National attention and their Majesties should by all means visit our Exhibit while on their tour,

NOW, THEREFORE BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES and the Senate Concurring, that the Legislature of the State of Florida, speaking for all of the people of Florida, cordially and respectfully extend an invitation to their Majesties to visit the Florida National Exhibit while at the New York World's Fair.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA.

Chief Clerk House of Representatives.

And House Concurrent Resolution No. 12, contained in the above message, was read the first time in full.

Senator Sharit moved that the rules be waived and House Concurrent Resolution No. 12 be read the second time in full.

Which was agreed to by a two-thirds vote.

And House Concurrent Resolution No. 12 was read the second time in full.

The question was put on the adoption of the Concurrent Resolution.

Which was agreed to and House Concurrent Resolution No. 12 was adopted and the action of the Senate was ordered certified to the House of Representatives.

Senator Kendrick moved that Senate Bill No. 34 be recalled from the Committee on Judiciary "A" and placed on the Calendar of Bills on second reading.

Which was agreed to and it was so ordered.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

Senator Mapoles moved that the hour of adjournment be extended until such time as the Senate completes the Introduction of Bills and Joint Resolutions.

Which was agreed to and it was so ordered.

By Senator Ward—

Senate Joint Resolution No. 1001:

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE XVI OF THE CONSTITUTION OF FLORIDA ADDING THERETO AN ADDITIONAL SECTION PERMITTING THE CREATION OF A COMMISSION EMPOWERED TO GRANT PAROLES OR CONDITIONAL RELEASES OR PROBATION OF PRISONERS OR PERSONS WITH CRIMINAL OFFENSES, UNDER SUPERVISION.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

SECTION 1. That the following amendment to Article XVI of the Constitution of the State of Florida relating to Miscellaneous Provisions by adding thereto an additional Section to be known as Section 32 of said Article XVI specifically applicable to the creation of a Commission authorized to grant paroles or conditional releases or probation of prisoners under supervision, is hereby agreed to and shall be submitted to the electors of the State of Florida for ratification or rejection at the next General Election to be held in 1940, as follows:

"SECTION 32. The Legislature may create a Parole Commission empowered to grant paroles or conditional releases or probation under official supervision to prisoners or persons charged with criminal offenses, and may provide for the qualification and method of selecting the Commission members and for their term of office the length of which shall be wholly within the discretion of the Legislature."

Which was read the first time in full.

Senator Ward moved that Senate Joint Resolution No. 1001 be placed on the Calendar of Bills on second reading without reference.

Which was agreed to and it was so ordered.

By Senator Walker—

Senate Bill No. 1002:

A bill to be entitled An Act to designate the dividing line between fresh and salt water in certain streams in the State of Florida, for the purpose of fishing and to repeal certain existing laws and statutes.

Which was read the first time by title only.

Senator Walker moved that the rules be waived and Senate Bill No. 1002 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1002 was read the second time by title only.

Senator Walker moved that the rules be further waived and Senate Bill No. 1002 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1002 was read the third time in full.

Upon the passage of Senate Bill No. 1002 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—37.

Nays—None.

So Senate Bill No. 1002 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Sharit—

Senate Bill No. 1003:

A bill to be entitled An Act to provide for the payment of commission to tax assessors for assessing and extending taxes for all county obligations, including time warrants and interest on same, which are held and disbursed by the Administrative Board of the State of Florida, and providing for the manner of payment of such commissions, in counties with a population of not less than 16,825, and not more than 16,830, according to the 1935 State census of Florida.

The following proof of publication was attached to Senate Bill No. 1003 when it was introduced in the Senate:

NOTICE OF SPECIAL LEGISLATION

NOTICE IS HEREBY GIVEN that the undersigned will introduce and work for the passage of a special Act of the Legislature of the State of Florida providing for the payment of Commission to Tax Assessors for assessing and extending taxes for County obligations which are held and disbursed by the Administrative Board of the State of Florida, providing for the manner of payment of same in Counties with a population of not less than 16,825, and not more than 16,830, according to the 1935 State census of Florida.

J. ED. STOKES.
Panama City, Fla.,
April 1, 1939.

TO BAY COUNTY PUBLISHERS, INC., DR.
To publishing attached notice one time, \$1.25.

STATE OF FLORIDA, BAY COUNTY.

Before the undersigned, a Notary Public in and for the State of Florida at large, personally appeared Beulah Pinney, who being duly sworn, says upon oath that she is the Auditor of the Panama City News-Herald (Successor to Bay County Herald, Panama City Herald, St. Andrews Bay News), a newspaper published in the City of Panama City, County of Bay, State of Florida, and that The Panama City News-Herald (Successor to Bay County Herald, Panama City Herald, St. Andrews Bay News), was on September 30, 1935, and had for more than one year prior thereto, and for more than one year prior to the first insertion of said publication been continuously published at least once a week, and was on and prior to September 30, 1935, and had during more than one year prior thereto and prior to the said first insertion of said publication been entered as second class mail matter at a postoffice in Bay County, Florida, and that said paper during all of said time was a newspaper of general circulation in Bay County, Florida, and that the notice in re:

NOTICE OF LEGISLATION

a true copy of which is hereto attached was published in the said newspaper once a week for the full term and period of one consecutive week, beginning on the 1st day of April, 1939.

BEULAH PINNEY.

Sworn to and subscribed before me this the 1st day of April, A. D. 1939.

LANELLA KELLY,
Notary Public.

My Commission expires Sept. 15, 1941.

Which was read the first time by title only.

Senator Sharit moved that the rules be waived and Senate Bill No. 1003 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1003 was read the second time by title only.

Senator Sharit moved that the rules be further waived and Senate Bill No. 1003 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1003 was read the third time in full.

Upon the passage of Senate Bill No. 1003 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—37.

Nays—None.

So Senate Bill No. 1003 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Parrish—

Senate Bill No. 1004:

A bill to be entitled An Act relating to the establishment, equipment, and operation of a citrus research laboratory at the University of Florida for scientific research in the discovery and development of methods for canning and preserving citrus juices, and making an appropriation therefor.

Which was read the first time by title only and referred to the Committee on Appropriations.

Senator Hodges now presiding.

By Senator Mapoles—

Senate Bill No. 1005:

A bill to be entitled An Act providing a method for the annexation by any incorporated city or town in the State of Florida having a population of not less than 1070 nor more than 1085, according to the last preceding census, of any unincorporated tract of land lying contiguous thereto and within the same county; providing for the ratification thereof by a majority of the qualified voters of said city or town and of said tract of land; and repealing all conflicting laws.

Which was read the first time by title only.

Senator Mapoles moved that the rules be waived and Senate Bill No. 1005 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1005 was read the second time by title only.

Senator Mapoles moved that the rules be further waived and Senate Bill No. 1005 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1005 was read the third time in full.

Upon the passage of Senate Bill No. 1005 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanne, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—37.

Nays—None.

So Senate Bill No. 1005 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Ward—

Senate Joint Resolution No. 1006:

PROPOSING AN AMENDMENT TO ARTICLE IX OF THE CONSTITUTION OF FLORIDA RELATIVE TO TAXATION AND FINANCE

Be It Resolved, by the Legislature of the State of Florida:

That the following amendment to Article IX of the Constitution of Florida relative to taxation and finance to be numbered "Section 15" of said Article IX be, and the same is hereby submitted to the electors of the State of Florida at the general election to be held on the first Tuesday after the first Monday in November, A. D. 1940, for ratification or rejection, to-wit:

Section 15. All gasoline excise taxes and all excise taxes on motor vehicle fuel of whatever nature or kind shall, after providing therefrom for the necessary costs of administration, be appropriated and used solely for defraying the costs incident to laying out, constructing, reconstructing, maintaining, repairing, improving and policing public highways and bridges within the State of Florida and shall be expended under the direction and supervision of the State Department having jurisdiction thereof and shall not be diverted by transfer of funds or otherwise to any other purpose whatsoever. Provided, however, that so much of said gasoline taxes and excises as are necessary may be used to amortize all outstanding county road and Special Road and Bridge Districts' bonds issued on or before April 1st, 1929, which are administered by the State Board of Administration. Provided, further, that after the adoption of this amendment, any Board of County Commissioners of any county may turn over to the State Road Department for maintenance and construction any or all roads therein which have been designated as a State Road."

Which was read the first time in full and referred to the Committee on Constitutional Amendments.

By Senator Westbrook—

Senate Bill No. 1007:

A bill to be entitled An Act authorizing the Board of County Commissioners of Lake County, Florida, to transfer funds from the Investment and Sinking Fund account or from any obsolete and abandoned county funds, to any active or current county funds, Special Road and Bridge District Fund, County Wide Road and Bridge Fund or County Wide General Bond Fund, and to use said funds so transferred for the construction or maintenance of roads in the same general territory or part of said county, and to sell and transfer the sale price of any bonds held by any such fund.

The following proof of publication was attached to Senate Bill No. 1007 when it was introduced in the Senate:

NOTICE

NOTICE IS HEREBY GIVEN: That the Board of County Commissioners of Lake County, Florida, will apply to the Legislature of the State of Florida for legislation allowing the transfer of funds from the investment and sinking fund account of any paid out Special Road and Bridge District Bond Fund, Countywide Road and Bridge Bond Fund or Countywide General Bond Fund to any County Fund where said funds will be used for construction or maintenance in the same territory originally included within the boundaries of the paid out funds; also, to allow the transfer of funds from any obsolete or abandoned County Fund to any current or active County Fund.

(Official Seal)

BOARD OF COUNTY COMMISSIONERS,
LAKE COUNTY, FLORIDA.
By GEO. J. DYKES, Clerk.

April 14.

AFFIDAVIT OF PUBLICATION

STATE OF FLORIDA,
COUNTY OF LAKE.

Before the undersigned authority personally appeared Geo. F. Westbrook, who, on oath, does solemnly swear that he has knowledge of the matters stated herein; that a Notice stating the substance of a contemplated law or proposed bill, to-wit:

An Act authorizing the Board of County Commissioners of Lake County, Florida, to transfer funds from the investment and sinking fund account or from any obsolete and abandoned County Funds, to any active or current County Funds, Special Road and Bridge District Fund, Countywide Road and Bridge Fund or County Wide General Bond Fund, and to use said funds so transferred for the Construction or Maintenance of Roads in the same General territory or part or said County, and to sell and transfer the sale price of any bonds held by any such fund.

Has been published at least thirty days prior to this date,

by being printed in the issue of April 14, 1939, of the Lake County Citizen, a newspaper published in Lake County, Florida; that a copy of the Notice that has been published as aforesaid, and also this Affidavit of Proof of Publication are attached to the proposed bill or contemplated law, and such copy of the Notice so attached is by reference made a part of this Affidavit.

GEO. F. WESTBROOK.

Sworn to and subscribed before me this 23rd day of May, A. D., 1939.

(Seal)

RUTH BAILEY,

Notary Public, State of Florida at large.
My Commission Expires November 4, 1941.

Which was read the first time by title only and placed on the Calendar of Local Bills on second reading.

By Senator Coulter—

Senate Bill No. 1008:

A bill to be entitled An Act to establish a Game Preserve in a certain portion of Levy County, Florida, and to prohibit the hunting or taking of wild game, animals or birds in such preserve for a period of ten years.

The following proof of publication was attached to Senate Bill No. 1008 when it was introduced in the Senate:

PROOF OF PUBLICATION

—Of—

THE WILLISTON SUN
L. E. Vause, Publisher

STATE OF FLORIDA)

) SS.

COUNTY OF LEVY)

Personally before the undersigned, a Notary Public for the State of Florida at large, appeared Frank Weaver, to me well known, who upon oath deposes and says, that he is the Publisher of THE WILLISTON SUN, a newspaper regularly printed and published weekly in the City of Williston, in Levy County, Florida, and that the said THE WILLISTON SUN, has been continuously published at least once a week, and has been entered as second class mail matter in the Post Office in Williston, Levy County, Florida, at least once each week, for a period of more than one year next preceding the first insertion of the attached notice and/or publication: April 13th, 1939. And that the said THE WILLISTON SUN, has been published in accordance with the requirements of Senate Bill No. 58, passed by the Legislature of the State of Florida in 1931 and approved May 20th, 1931; that the advertisements of said Legislative Act of which a printed copy is hereto attached, has been published in the regular issues of said newspaper once in each week for one consecutive weeks, beginning on the 13th day of April, A. D. 1939, and ending on the 13th day of April, A. D. 1939, and that said advertisement was published in said newspaper on this date, to-wit April 13, 1939.

THE WILLISTON SUN

By Frank Weaver, Manager.

Sworn to and subscribed before me this 20th day of May, A. D. 1939.

M. D. GRAHAM.

Notary Seal.

Notary Public, State of Florida at Large.

My Commission Expires Sept. 18th, A. D. 1942.

Which was read the first time by title only and placed on the Calendar of Local Bills on second reading.

By Senator Coulter—

Senate Bill No. 1009:

A bill to be entitled An Act to provide that all funds to be received under the provisions of Chapter 14832, Laws of Florida, Acts of 1931, or any Act amendatory thereto and all funds received from licensing and taxing persons, firms corporations or associations operating a fronton for the exhibition of the Spanish ball game called Jai-A-Lai or Pelota which may hereafter be paid to the State of Florida and all funds derived from licensing and taxing of other forms of games for amusements where the same is to be apportioned to the several counties of the State of Florida, shall in Levy County, Florida, be paid by the State Treasurer or other officer having authority to disburse said funds as follows: Twelve thousand five hundred (\$12,500.00) dollars to the Board of Public Instruction of Levy County, Florida, for the purpose of liquidat-

ing interest and principal on the notes and time warrants mentioned and described in Section 2 of this Act, and providing for the payment of all of the rest and residue of said funds to the Board of County Commissioners of Levy County, Florida, to be disbursed and used as prescribed by law, and providing further that when the notes and time warrants, both principal and accrued interest, mentioned in Section 2 of this Act, are fully paid off and discharged that the Board of Public Instruction of Levy County, Florida, is to receive, no more of this fund, and to repeal Chapter 18,078 General Acts of the Legislature of 1937.

The following proof of publication was attached to Senate Bill No. 1009 when it was introduced in the Senate:

PROOF OF PUBLICATION

THE WILLISTON SUN

L. E. Vause, Publisher

STATE OF FLORIDA)

) SS.

COUNTY OF LEVY)

Personally before the undersigned, a Notary Public for the State of Florida at large, appeared Frank Weaver, to me well and personally known, who upon oath deposes and says, that he is the Publisher of THE WILLISTON SUN, a newspaper regularly printed and published weekly in the City of Williston, in Levy County, Florida, and that the said THE WILLISTON SUN, has been continuously published at least once a week, and has been entered as second class mail matter in the Post Office in Williston, Levy County, Florida, at least once each week, for a period of more than one year next preceding the first insertion of the attached notice and/or publication: April 13th, 1939. And that the said THE WILLISTON SUN, has been published in accordance with the requirements of Senate Bill No. 58, passed by the Legislature of the State of Florida in 1931 and approved May 20, 1931; that the advertisements of said Legislative Act of which a printed copy is hereto attached, has been published in the regular issues of said newspaper once in each week for One consecutive week, beginning on the 13th day of April, A. D. 1939, and ending on the 13th day of April, A. D. 1939, and that said advertisement was published in said newspaper on this date, to-wit: April 13, 1939.

THE WILLISTON SUN

By Frank Weaver, Manager.

Sworn to and subscribed before me this 20th day of May, A. D. 1939.

M. D. GRAHAM.

Notary Seal.

Notary Public, State of Florida at Large.

My Commission Expires Sept. 18th, A. D. 1942.

Which was read the first time by title only and placed on the Calendar of Local Bills on second reading.

Senator Beall moved that the rules be waived and the Senate do now take up and consider Senate Bill No. 972, out of its order.

Which was agreed to by a two-thirds vote.

Senate Bill No. 972:

A bill to be entitled An Act providing for the creation of a Firemen's Relief and Pension Fund by the City of Pensacola, creating a Board of Trustees in said municipality to administer the funds; designating the powers and duties of such Board; providing for contributions to such fund by the city, its employees and pensioners; prescribing who shall receive a pension or relief out of the pension fund; providing for the receipt, deposit appropriation, investment and disposition of funds of said pension fund; providing that all persons heretofore retired now on the pension roll of the City of Pensacola shall continue to receive pensions in the same amount they are now receiving, payable from the source from which such pensions are now paid; authorizing the levy of taxes to supplement and augment the Firemen's Relief and Pension Fund.

Was taken up.

Senator Beall moved that the rules be waived and Senate Bill No. 972 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 972 was read the second time by title only.

Senator Beall offered the following amendment to Senate Bill No. 972:

In Section 4, lines 3 to 9 both inclusive, strike out all of

said lines being Sub-section (a) of said Section of the type-written bill; and insert in lieu thereof the following: "(a) By the net proceeds of the one per cent (1%) excise or license tax levied and collected under the authority of Senate Bill No. 54 of the regular session of 1939, which may be imposed by the City of Pensacola upon certain insurance companies or other insurers against loss by fire and tornado on their gross receipts of premiums from holders of policies, which policies cover property within the corporate limits of such municipality. This sub-section shall not be construed to authorize the levy or collection of an excise or license tax upon insurance premiums in excess of that percentage authorized under the provisions of Senate Bill 54 of the regular session of 1939."

Senator Beall moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Beall also offered the following amendment to Senate Bill No. 972:

In Section 4, line 10 (typewritten bill) strike out the words, and figures: "two per cent (2%)" and insert in lieu thereof the following: "three per cent (3%)."

Senator Beall moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Beall also offered the following amendment to Senate Bill No. 972:

In Section 4, line 19 (typewritten bill) strike out the words, and figures: "two per cent (2%)" and insert in lieu thereof the following: "three per cent (3%)."

Senator Beall moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Beall also offered the following amendment to Senate Bill No. 972:

In Section 5, line 41 (typewritten bill), immediately after the word "disabled" insert the following: "not in line of duty."

Senator Beall moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Beall also offered the following amendment to Senate Bill No. 972:

In Section 21, lines 4 and 5 (typewritten bill) strike out the words, and figures: "two per cent (2%)" and insert in lieu thereof the following: "three per cent (3%)."

Senator Beall moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Beall moved that the rules be further waived and Senate Bill No. 972, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 972 as amended, was read the third time in full.

Upon the passage of Senate Bill No. 972, as amended, the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—37.

Nays—None.

So Senate Bill No. 972 passed, as amended, and was referred to the Committee on Engrossed Bills.

By Senator Coulter—

Senate Bill No. 1010:

A bill to be entitled An Act providing for the cancellation of tax sale certificates issued by the Tax Collector of Levy County, Florida, and purchased by the State of Florida, and that have been filed and recorded, on all bona fide homesteads situated within the County of Levy and State of Florida, wherein no State taxes are involved, by the Clerk of the Circuit Court of Levy County, Florida, and the delivery of said certificates when so cancelled by the Clerk of the Circuit Court of Levy County, Florida, to the owners of said homesteads.

The following proof of publication was attached to Senate Bill No. 1010 when it was introduced in the Senate:

**A BILL
TO BE ENTITLED**

An Act providing for the cancellation of all tax sale certificates issued by the Tax Collector of Levy County, Florida,

and purchased by the State of Florida, and that have been filed and recorded, on all bona fide homesteads, situated within the County of Levy and State of Florida, wherein no State taxes are involved, by the Clerk of the Circuit Court of Levy County, Florida, and the delivery of said certificates when so cancelled by the Clerk of the Circuit Court of Levy County, Florida, to the owners of said homesteads.

—OF—

THE WILLISTON SUN

L. E. Vause, Publisher

STATE OF FLORIDA,)
) ss.
COUNTY OF LEVY.)

Personally before the undersigned, a Notary Public for the State of Florida at large, appeared Frank Weaver, to me well and personally known, who upon oath deposes and says, that he is the Publisher of the WILLISTON SUN, a newspaper regularly printed and published weekly in the City of Williston, in Levy County, Florida, and that the said THE WILLISTON SUN, has been continuously published at least once a week, and has been entered as second class mail matter in the post office in Williston, Levy County, Florida, at least once each week, for a period of more than one year next preceding the first insertion of the attached notice and/or publication April 13th, 1939, and that the said THE WILLISTON SUN, has been published in accordance with the requirements of Senate Bill No. 58, passed by the Legislature of the State of Florida in 1931 and approved May 20th, 1931; that the advertisements of said Legislative Act of which a printed copy is hereto attached, has been published in the regular issues of said newspaper once in each week for one consecutive week, beginning on the 13th day of April, A. D. 1939, and ending on the 13th day of April, A. D. 1939, and that said advertisement was published in said newspaper on these dates, to-wit: April 13th, 1939.

THE WILLISTON SUN,
FRANK WEAVER, Manager.

(Seal)

Sworn to and subscribed before me this 20th day of May, A. D. 1939.

M. D. GRAHAM,

Notary Public, State of Florida at Large

My Commission expires September 18th, A. D. 1942.

Which was read the first time by title only and placed on the Calendar of Local Bills on second reading.

By Senator Coulter—

Senate Bill No. 1011:

A bill to be entitled An Act to establish a Game Preserve in a certain portion of Levy County, Florida, and to prohibit the hunting or taking of wild game, animals or birds in such preserve for a period of ten years.

The following proof of publication was attached to Senate Bill No. 1011 when it was introduced in the Senate:

PROOF OF PUBLICATION OF
THE WILLISTON SUN

L. E. VAUSE, Publisher.

STATE OF FLORIDA,)
) ss.
COUNTY OF LEVY.)

Personally before the undersigned, a Notary Public for the State of Florida at large, appeared Frank Weaver, to me well and personally known, who upon oath deposes and says, that he is the Publisher of THE WILLISTON SUN, a newspaper regularly printed and published weekly in the City of Williston, in Levy County, Florida, and that the said THE WILLISTON SUN, has been continuously published at least once a week, and has been entered as second class mail matter in the Post Office in Williston, Levy County, Florida, at least once each week, for a period of more than one year next preceding the first insertion of the attached notice and/or publication; 13th, April 1939. And that the said THE WILLISTON SUN, has been published in accordance with the requirements of Senate Bill No. 58, passed by the Legislature of the State of Florida in 1931 and approved May 20th, 1931; that the advertisements of said Legislative Act of which a printed copy is hereto attached, has been

published in the regular issues of said newspaper once in each week for one consecutive week, beginning on the 13th day of April, A. D. 1939 and ending on the — day of — A. D. 19—, and that said advertisement was published in said newspaper on these dates, to-wit: April 13th, 1939 A. D. 19—.

THE WILLISTON SUN,
By FRANK WEAVER, Manager.

Sworn to and subscribed before me this 20th day of May, A. D. 1939.
(Notarial Seal)

M. D. GRAHAM,
Notary Public, State of Florida at large.
My commission expires, Sept. 18th
A. D. 1942.

Which was read the first time by title only and placed on the Calendar of Local Bills on second reading.

By Senator McKenzie—

Senate Bill No. 1012:

A bill to be entitled An Act to declare, designate and establish certain State Roads in Putnam County, Florida.

Which was read the first time by title only and referred to the Committee on Public Roads and Highways.

By Senator Savage—

Senate Bill No. 1013:

A bill to be entitled An Act to fix and prescribe the trial jurisdiction of Justices of the Peace in counties having a population of not less than thirty thousand and five hundred (30,500) and not more than thirty one thousand (31,000) according to the State census of 1935 to try and determine misdemeanors in their respective districts.

Which was read the first time by title only.

Senator Savage moved that the rules be waived and Senate Bill No. 1013 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1013 was read the second time by title only.

Senator Savage moved that the rules be further waived and Senate Bill No. 1013 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1013 was read the third time in full.

Upon the passage of Senate Bill No. 1013 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Murphy, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—31.

Nays—None.

So Senate Bill No. 1013 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Coulter—

Senate Bill No. 1014:

A bill to be entitled An Act authorizing and empowering the Board of County Commissioners of Levy County, Florida, to make a correct list of all those certain bonds and coupons issued July 1, 1925 by the Board of Public Instruction of Levy County, Florida, and known as County Wide School Bonds, that have been taken in payment of delinquent taxes by the Clerk of the Circuit Court of Levy County, Florida, under the terms of what is known as the Futch Law, and making it the duty of the Clerk of Circuit Court to make a complete and correct list of said bonds and coupons and have said list signed by the Superintendent of Public Instructions of Levy County, Florida, in duplicate, the Clerk of the Circuit Court retaining one and the Board of Public Instruction of Levy County, Florida, to take one, and prescribing the duties of the Board of Public Instruction of Levy County, Florida, in connection with said bonds and coupons when they receive the same.

The following proof of publication was attached to Senate Bill No. 1014 when it was introduced in the Senate:

PROOF OF PUBLICATION

—OF—

THE WILLISTON SUN

L. E. Vause, Publisher.

STATE OF FLORIDA)

) SS.

COUNTY OF LEVY)

Personally before the undersigned, a Notary Public for the State of Florida at large, appeared Frank Weaver, to me well and personally known, who upon oath deposes and says, that he is the Publisher of THE WILLISTON SUN, a newspaper regularly printed and published weekly, in the City of Williston, in Levy County, Florida, and that the said THE WILLISTON SUN, has been continuously published at least once a week, and has been entered as second class mail in the Post Office, in Williston, Levy County, Florida, at least once each week, for a period of more than one year next preceding the first insertion of the attached notice and/or publication: March 30th, 1939 and that the said THE WILLISTON SUN, has been published in accordance with the requirements of Senate Bill No. 58, passed by the Legislature of the State of Florida in 1931 and approved May 20th, 1931; that the advertisements of said Legislative Act of which a printed copy is hereto attached, has been published in the regular issues of said newspaper once in each week for One consecutive weeks, beginning on the 30th day of March, A. D. 1939, and ending on the.....day of....., A. D. 19....., and that said advertisement was published in said newspaper on these dates, to-wit: March 30th, 1939.

THE WILLISTON SUN,

By Frank Weaver, Manager.

Sworn to and subscribed before me this 20th day of May, A. D. 1939.

M. D. GRAHAM.

Notary Seal.

Notary Public, State of Florida at Large.

My commission expires Sept. 18th, A. D. 1942.

Which was read for the first time by title only and placed on the Calendar of Local Bills on second reading.

By Senator Johns—

Senate Joint Resolution No. 1015:

A Joint Resolution proposing an amendment to Section 3 of Article XIII of the Constitution of the State of Florida by lowering the age limit from sixty-five to sixty years of persons entitled to receive old age benefits in order that the aged people of this State may be able to participate in the old age benefits before they reach the age of sixty-five.

Be It Resolved by the Legislature of the State of Florida:

Section 1. That the following amendment to Section 3 of Article XIII of the Constitution of the State of Florida relating to the lowering of the old age limit from sixty-five to sixty years of persons entitled to old age benefits be and the same is hereby agreed to and shall be submitted to the qualified electors of the State of Florida for ratification or rejection at the General Election to be held on the first Tuesday after the first Monday in November, A. D. 1940:

"Section 3 The respective counties of the State shall provide in the manner prescribed by law, for those of the inhabitants who by reason of age, infirmity, or misfortune, may have claims upon the aid and sympathy of society; provided, however, the Legislature may by general law provide for a uniform State-wide system for such benefits, and appropriate money therefor; but no such general law shall provide benefits to any person who shall not have a resident of the State of Florida for a period of five years continuously next preceding his application therefor, nor shall such general law provide for benefits to any person solely on account of age who has not attained the age of sixty years; Provided, further, that where by any law of the United States, a lesser or different period of residence, age or citizenship shall be fixed in order for the State of Florida to participate in any Federal grants that might be made for such purposes, the Legislature may prescribe such requirements as to citizenship, age and residence as will be consistent with and not in conflict with such Federal law."

Which was read the first time in full.

Senator Johns moved that the rules be waived and Senate Joint Resolution No. 1015 be read the second time in full.

The question was put on the adoption of the motion made

by Senator Johns that the rules be waived and Senate Joint Resolution No. 1015 be read the second time in full.

Upon which a roll call was demanded.

Upon the adoption of the motion made by Senator Johns the roll was called and the vote was:

Yeas—Senators Beacham, Beall, Black, Johns, Kelly (16th), Mapoles, Murphy, Parrish, Savage, Walker, Whitaker—11.

Nays—Senators Clarke, Dugger, Dye, Gillis, Gideons, Hodges, Holland, Kanner, Kelly (11th), Kendrick, Lewis, Lindler, McKenzie, Price, Rose, Sharit, Ward, Wilson—18.

Which was not agreed to, so the motion failed of adoption and Senate Joint Resolution No. 1015 was referred to the Committee on Constitutional Amendments.

By Senator Sharit—

Senate Bill No. 1016:

A bill to be entitled An Act to provide for the nomination and election of members of the Boards of County Commissioners and Boards of Public Instruction of all counties in the State of Florida having a population of not less than 3,099 and not more than 3,160, according to the last preceding State census, by the voters of such counties at large; to prescribe where the candidates shall reside; and to repeal all laws in conflict herewith.

Which was read the first time by title only.

Senator Sharit moved that the rules be waived and Senate Bill No. 1016 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1016 was read the second time by title only.

Senator Sharit moved that the rules be further waived and Senate Bill No. 1016 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1016 was read the third time in full.

Upon the passage of Senate Bill No. 1016 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—37.

Nays—None.

So Senate Bill No. 1016 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Sharit—

Senate Bill No. 1017:

A bill to be entitled An Act to provide for the nomination of members of the Board of County Commissioners and Board of Public Instruction of Gulf County, Florida, by the voters of the County at large, and not by districts, and providing for the repeal of all laws in conflict herewith.

The following proof of publication was attached to Senate Bill No. 1017 when it was introduced in the Senate:

NOTICE

Notice is hereby given that I will offer for passage in the 1939 session of the Florida Legislature, a bill entitled as follows: "An Act to provide for the nomination of members of the Board of County Commissioners and Board of Public Instruction of Gulf County Florida, by the voter. of the County at large, and not by districts, and providing for the repeal of all Acts in conflict herewith." The purpose of the Act being to nominate County Commissioners and School Board members from the County at large.

J. L. SHARIT.

AFFIDAVIT OF PROOF OF PUBLICATION

STATE OF FLORIDA,
COUNTY OF GULF.

Before me, the undersigned authority, personally appeared C. F. Hanlon, who, on oath, does solemnly swear (or affirm) that he has knowledge of the matters stated herein; that a notice stating the substance of a contemplated law or proposed bill relating to: An Act to provide for the nomination of members of the Board of County Commissioners and Board

of Public Instruction of Gulf County, Florida, has been published at least thirty (30) days prior to this date by being printed in the issue of April 21, 1939, of the Gulf County Breeze, a newspaper published in Gulf County, Florida, where the matter or thing to be affected by the contemplated law is situate; that a copy of the notice that has been published, as aforesaid, and also this affidavit of proof of publication are attached to the proposed bill or contemplated law, and such copy of the notice so attached is by reference made a part of this affidavit.

C. F. HANLON.

Sworn to and subscribed before me this 22nd day of May, A. D. 1939.

J. R. HUNTER,

(Seal)

Notary Public, State of Florida at Large.
Clerk Circuit Court, Gulf County, Florida.

Which was read the first time by title only.

Senator Sharit moved that the rules be waived and Senate Bill No. 1017 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1017 was read the second time by title only.

Senator Sharit moved that the rules be further waived and Senate Bill No. 1017 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1017 was read the third time in full.

Upon the passage of Senate Bill No. 1017 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—37.

Nays—None.

So Senate Bill No. 1017 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator McKenzie—

Senate Bill No. 1018:

A bill to be entitled An Act for the relief of H. S. Wells, L. L. Moody, G. L. Broer, W. A. Williams, Jr., and the Estate of G. W. Kellum, deceased, by directing and requiring the State of Florida, the County of Putnam, and the political subdivisions of said County to refund and repay their proportionate part of moneys received from the sale of certain void and illegal tax certificates and requiring the County of Putnam to reimburse said parties for certain expenses incident thereto.

Which was read the first time by title only and referred to the Committee on Pensions and Claims.

By Senator Wilson—

Senate Bill No. 1019:

A bill to be entitled An Act relating to the discovery and corrective treatment of abnormal emotional conditions of children enrolled in the public schools of the State of Florida and prescribing the authority of the State Board of Education, State Superintendent of Public Instruction, and County Boards of Public Instruction in relation thereto.

Which was read the first time by title only and referred to the Committee on Education.

By Senators Ward and Horne—

Senate Bill No. 1020:

A bill to be entitled An Act providing for the registering for private game reserves, and for licensing owners of private game reserves, and procuring of hunting licenses in both State and County.

Which was read the first time by title only.

Senator Horne moved that the rules be waived and Senate Bill No. 1020 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1020 was read the second time by title only.

Senator Horne moved that the rules be further waived and Senate Bill No. 1020 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1020 was read the third time in full.

Pending roll call on the passage of Senate Bill No. 1020, Senator Kelly (16th) moved that the rules be waived and the further consideration of Senate Bill No. 1020 be informally passed and be taken up for consideration by the Senate immediately upon the reconvening of the Senate at 3:00 o'clock P. M., this day.

Which was agreed to by a two-thirds vote and it was so ordered.

Senator Holland moved that Senate Bills Nos. 994, 996 and 997 be recalled from the House of Representatives for the purpose of reconsideration.

Which was agreed to and it was so ordered.

Senator Black moved that the rules be waived and the Senate do now reconsider the vote by which House Bill No. 1365 passed the Senate this day.

The President put the question.

Which was agreed to by a two-thirds vote, and the Senate reconsidered the vote by which House Bill No. 1365 passed the Senate this day.

The question recurred on the passage of House Bill No. 1365.

Pending roll call, Senator Black moved that the further consideration of House Bill No. 1365 be informally passed.

Which was agreed to and it was so ordered.

Senator Whitaker moved that the rules be waived and when the Senate adjourns it recess until 3:00 o'clock P. M., this day.

Which was agreed to by a two-thirds vote.

And the Senate took a recess at 1:16 o'clock P. M., until 3:00 o'clock P. M., this day.

AFTERNOON SESSION

The Senate reconvened at 3:00 o'clock P. M., pursuant to recess order.

The President in the Chair.

The roll was called and the following Senators answered to their names:

Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—37.

A quorum present.

By permission the following Reports of Committees were filed:

REPORTS OF COMMITTEES

Senator Dame, Chairman of the Committee on Public Health, reported that the Committee had carefully considered the following bill and recommends that the same do pass, with Committee amendments:

Senate Bill No. 624:

A bill to be entitled An Act to prohibit the manufacture, sale, disposal, or movement in commerce within the State of Florida, of adulterated or misbranded foods, drugs, devices and cosmetics; prohibiting the false advertisement and guaranteeing of foods, drugs, devices and cosmetics; providing definitions for terms as used in this Act; providing that the Commissioner of Agriculture may obtain injunctions in certain cases; providing penalties for the violation hereof; providing for the detention or embargo of foods, drugs, devices or cosmetics suspected of being in violation of this Act; providing for the destruction of articles of food, drugs, devices and cosmetics in violation of this Act; requiring the various attorneys to prosecute violations of this Act; allowing for minor violations of this Act to be handled without court proceedings; directing the Commissioner of Agriculture to establish definitions and standards of identity, or quality or fill of container and sanitary regulations with reference to manufacture; defining adulterated food, drugs, devices and cosmetics; providing what constitutes misbranded food, drugs, devices and cosmetics; providing for licenses and permits for food establishments in emergencies; prohibiting the sale of new drugs unless and until such drug has been approved for sale by the Secretary of Agriculture

of the United States or by the Commissioner of Agriculture and providing the manner in which the Commissioner shall approve such application for the sale of a new drug within the State of Florida; authorizing the Commissioner to promulgate regulations for the enforcement of this Act; providing for the appointment of inspectors, and for the inspection and analysis of foods, drugs, devices and cosmetics and the establishments where such products are manufactured or stored and for the cost of procuring and analyzing such samples; providing for the publication of the findings under this Act; repealing all laws and parts of laws in conflict with this Act and for other purposes: which amendments are as follows:

Amendment No. 1—

At the end of Section 11, add the following, to be known as Paragraph (1):

(1) Where a beverage food drink is offered for sale in sanitary glass containers, sealed or securely capped, impervious to contamination by leakage or contact with foreign substance which containers are, after use of the product, successively refilled and re-used by the manufacturer for the same purpose, and the trade name of such product the net content, and declaration of artificial flavor or color, if used, at all times appear upon the cap, crown or lid of said container, and the manufacturer, at least once every year, and oftener if required by the Commissioner of Agriculture, files in the Office of said Commissioner an affidavit stating the trade names of the beverages manufactured by him, and the territorial limits within the State in which said beverages are offered for sale the provisions of this Act requiring additional labeling or branding of said product shall not apply. Provided always, however, that nothing in the paragraph contained shall in any manner otherwise restrict, modify or impair the jurisdiction, right and power of the Commissioner of Agriculture, or of the State Chemist, over, or upon or with reference to said food product and the conditions pertaining to its manufacture, nor shall anything herein contained authorize or permit misleading statements or deceptive trade names involving fruit juice or fruit concentrate beverages.

Amendment No. 2—

In Section 9, line 10, after the word "products" insert the following: "In the prescribing of any standard of quality for any canned fruit or canned vegetables, consideration shall be given and due allowance made for the differing characteristics of the several varieties of such fruit or vegetable."

Amendment No. 3—

In Section 5, Paragraph b, line 5, after the word "Florida" insert the following: "Or the manufacturer."

Amendment No. 4—

In Section 6, Paragraph (b) after the word "shall" insert the following: "forthwith and without delay and in no event later than fifteen (15) days after the affixing of such notice."

Amendment No. 5—

In Section 1, strike out all of Section One, and insert the following: "Section 1: (a) This Act may be cited as the Florida Food, Drug and Cosmetic Act.

(b) This Act is intended (1) to safeguard the public health and promote the public welfare by protecting the consuming public from injury by product use and the purchasing public from injury by merchandising deceit, flowing from intrastate commerce in food, drugs, devices and cosmetics; and (2) to provide legislation which shall be uniform, as provided in this Act, and administered so far as practicable in conformity with the provisions of and regulations issued under the authority of the Federal Food, Drug and Cosmetic Commission Act, to the extent it expressly prohibits the false advertisement of foods, drugs, devices and cosmetics; and (3) to promote thereby uniformity of such State and Federal laws and their administration and enforcement, throughout the United States and in the several States."

Amendment No. 6—

In Section 9, line 6, after the words "class of food," and insert the following: "under its common or usual name so far as practicable."

Amendment No. 7—

In Section 12, after Paragraph (c) insert the following: "(d) The Commissioner shall promulgate regulations exempting from any labeling requirement of this Act (1) small open containers of fresh fruits and fresh vegetables and (2) food

which is, in accordance with the practice of the trade, to be processed, labeled, or repacked in substantial quantities at establishments other than those where originally processed or packed, on condition that such food is not adulterated, or misbranded under the provisions of this Act upon removal from such processing, labeling, or repacking establishment."

And Senate Bill No. 624, contained in the above report, together with Committee Amendments thereto, was placed on the Calendar of Bills on second reading.

Senator Gideons, Chairman of the Committee on Temperance, reported that the Committee had carefully considered the following bill and recommends that the same do pass—

Senate Bill No. 807:

A bill to be entitled An Act to amend Section Thirteen of Chapter 18015, General Laws of Florida, Acts of 1937, entitled: "An Act regulating and taxing the manufacture, distribution and sale of beverages containing more than one percentum of alcohol by weight, amending Sections 7 and 9 of Chapter 16774 of the Acts of 1935, entitled "An Act regulating and taxing the manufacture, distribution and sale of beverages containing more than one percentum of alcohol, creating and providing for a State Beverage Department, providing penalties for the violation of this Act and repealing existing laws concerning said Beverages; providing for additional supervisors of the beverage department; providing for the expenses of the beverage department; appropriating the monies collected under the beverage laws and providing penalties for the violation of this Act."

And Senate Bill No. 807, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator McKenzie, Acting Chairman of the Committee on Public Health, reported that the Committee had carefully considered the following bill and recommends that the same do pass—

Senate Bill No. 745:

A bill to be entitled An Act to define naturopathic medicine and the regulate the practice of naturopathic medicine in the State of Florida; to create the State Board of Naturopathic medical examiners; to provide for the examination and admission to practice of naturopathic physicians and the securing of licenses by naturopathic physicians in the State of Florida; to provide for the securing of annual renewal certificates of Licenses, charging the fees therefor and penalty for failure to pay such renewal fees; and to provide penalties for the violation of any of the provisions of this Act.

And Senate Bill No. 745, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Murphy, Chairman of the Committee on Motor Vehicles, reported that the Committee had carefully considered the following bills and recommends that the same do pass—

Committee Substitute for House Bills Nos. 59, 60, 101, 198, 255, 256, 269, 1266:

A bill to be entitled An Act to provide State public safety; to that end to create the State Department of Public Safety; to prescribe its membership, duties, powers and authority; to provide for divisions of such department, for the employees thereof, and duties and compensation; to provide for the license of chauffeurs and other operators of motor vehicles as herein defined; to provide for certain liabilities, penalties and punishment in such operation; to provide for the selection and compensation of the personnel of the division of State Highway Patrol of said department and their duties; to provide for other matters in connection with public safety; and making certain funds available for the purpose of carrying out the provisions hereof.

And Committee Substitute for House Bills Nos. 59, 60, 101, 198, 255, 256, 269, 1266, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Dugger, Chairman of the Committee on Pensions and Convicts, reported that the Committee had carefully considered the following bills and recommends that the same do pass.

Senate Bill No. 881:

A bill to be entitled An Act relating to the wages and hours of persons employed by State Road Department of Florida, in highway maintenance work.

Also—

Senate Bill No. 880:

A bill to be entitled An Act to amend Section 6239, Revised

General Statutes of Florida, relating to the employment of clerical assistance and other help at the Florida State Prison Farm, prescribing maximum hours of employment and prescribing decrease in salary on account of reduction of working hours.

And Senate Bills Nos. 881 and 880, contained in the above report, were placed on the Calendar of Bills on second reading.

Senator Black moved that the rules be waived and the Senate do now take up and consider House Bill No. 1365, out of its order.

Which was agreed to by a two-thirds vote.

House Bill No. 1365:

A bill to be entitled An Act fixing the compensation of members of the Board of Public Instruction in the Counties of the State of Florida having a population of not less than 4,150 and not more than 4,200 according to the last preceding Florida State census: and repealing all laws in conflict herewith.

Was taken up, pending roll call.

By unanimous consent, Senator Black offered the following amendment to House Bill No. 1365:

In Section 1, line 7 (typewritten bill), after the word "each" add the following: and providing further that the Chairman of said Board shall receive thirty-five (\$35.00) Dollars

Senator Black moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

By unanimous consent, Senator Black also offered the following amendment to House Bill No. 1365:

In Section 1, line 7 (typewritten bill), strike out the words: and figure "Twenty-five (\$25.00) and insert in lieu thereof the following: Thirty (\$30.00).

Senator Black moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Upon the passage of House Bill No. 1365, as amended, the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—37.

Nays—None.

So House Bill No. 1365 passed, as amended, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Senate Bill No. 1020:

A bill to be entitled An Act providing for the registering of private game reserves, and for licensing owners of private game reserves, and procuring of hunting licenses in both State and County.

Was taken up, pending roll call, having been read the third time in full this day.

Upon the passage of Senate Bill No. 1020 the roll was called and the vote was:

Yeas—Senator Adams, Beacham, Beall, Black, Clarke, Dye, Gideons, Graham, Holland, Horne, Kanner, Kendrick, Lindler, Parrish, Sharit, Ward—16.

Nays—Senators Dugger, Hinely, Johns, Kelly (11th), Kelly (16th), Lewis, Price, Wilson—8.

So Senate Bill No. 1020 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

MESSAGES FROM THE GOVERNOR

STATE OF FLORIDA
EXECUTIVE DEPARTMENT
TALLAHASSEE

May 20th, 1939

Honorable J. Turner Butler,
President of the Senate,
Tallahassee, Florida.

Sir:

I have the honor to inform you that I have today caused the following Act, which originated in your Honorable Body, to be filed in the office of the Secretary of State, the same

having remained in this office for the full Constitutional period of five days and will become a law without my approval:

S B No. 182 Relating to Relief.

Respectfully yours,

FRED P. CONE,

Governor.

STATE OF FLORIDA
EXECUTIVE DEPARTMENT

TALLAHASSEE

May 18th, 1939

Honorable J. Turner Butler,
President of the Senate,
Tallahassee, Florida.

Sir:

I have the honor to inform you that on May 17th, A. D. 1939, I approved the following Acts, which originated in your Honorable Body, and have caused the same to be filed in the office of the Secretary of State:

S B No. 673 Relating to Palm Beach County

And

SCR No. 16 Relating to Frozen Citrus Juices.

Respectfully yours,

FRED P. CONE,

Governor.

STATE OF FLORIDA
EXECUTIVE DEPARTMENT

TALLAHASSEE

May 19th, 1939

Honorable J. Turner Butler,
President of the Senate,
Tallahassee, Florida.

Sir:

I have the honor to inform you that I have today approved the following Acts, which originated in your Honorable Body, and have caused the same to be filed in the office of the Secretary of State:

S B No. 648 Relating to Pensacola.

S B No. 649 Relating to Pensacola.

S B No. 650 Relating to Pensacola.

Respectfully yours,

FRED P. CONE,

Governor.

STATE OF FLORIDA
EXECUTIVE DEPARTMENT

TALLAHASSEE

May 23rd, 1939

Honorable J. Turner Butler,
President of the Senate,
Tallahassee, Florida.

Sir:

I have the honor to inform you that I have today caused the following Act, which originated in your Honorable Body, to be filed in the office of the Secretary of State, the same having remained in this office for the full Constitutional period of five days and will become a law without my approval:

S B No. 54 Relating to Firemen's Relief and Pension Fund.

Respectfully yours,

FRED P. CONE,

Governor.

STATE OF FLORIDA
EXECUTIVE DEPARTMENT

TALLAHASSEE

May 23rd, 1939

Honorable J. Turner Butler,
President of the Senate,
Tallahassee, Florida.

Sir:

I have the honor to inform you that I have today approved the following Acts, which originated in your Honorable Body, and have caused the same to be filed in the office of the Secretary of State:

S B No. 187 Relating to Benevolent Mutual Benefit Associations.

S B No. 290 Relating to Relief.

S B No. 508 Relating to Building and Loan Associations.
 S B No. 529 Relating to Registration.
 S B No. 532 Relating to Public Instruction.
 S B No. 621 Relating to Real Estate.
 S B No. 651 Relating to Alachua County.
 S B No. 658 Relating to Florida Inland Navigation District.
 S B No. 697 Relating to Newberry.
 S B No. 713 Relating to Bushnell.
 S B No. 730 Relating to Madison County.

Respectfully yours,
FRED P. CONE,
 Governor.

RECONSIDERED BUSINESS

The motion made by Senator Graham to reconsider the vote by which Senate Resolution No. 24 was adopted by the Senate was taken up.

The President put the question.

Upon which a roll call was demanded.

Upon the motion to reconsider the vote by which Senate Resolution No. 24 failed of adoption the roll was called and the vote was:

Yeas—Mr. President; Senators Clarke, Dugger, Dye, Graham, Hinely, Holland, Kanner, Kelly (11th), Murphy, Parker, Rose, Westbrook, Wilson—14.

Nays—Senators Adams, Beacham, Beall, Black, Coulter, Gideons, Horne, Johns, Kelly (16th), Kendrick, Lewis, Lindler, McKenzie, Price, Savage, Walker, Ward, Whitaker—18.

Which was not agreed to and the Senate refused to reconsider the vote by which Senate Resolution No. 24 failed of adoption.

The motion made by Senator Savage to reconsider the vote by which Senate Bill No. 44 failed to pass the Senate was taken up.

The President put the question.

Upon which a roll call was demanded.

Upon the motion made by Senator Savage to reconsider the vote by which Senate Bill No. 44 failed to pass the Senate, the roll was called and the vote was:

Yeas—Senators Black, Coulter, Dugger, Dye, Johns, Kelly (16th), Lewis, Lindler, McKenzie, Murphy, Parrish, Price, Savage, Whitaker, Wilson—15.

Nays—Mr. President; Senators Adams, Beacham, Beall, Clarke, Gideons, Graham, Hinely, Holland, Horne, Kanner, Kelly (11th), Kendrick, Parker, Rose, Sharit, Walker, Ward, Westbrook—19.

Which was not agreed to and the Senate refused to reconsider the vote by which Senate Bill No. 44 failed to pass.

UNFINISHED BUSINESS

House Bill No. 104 was taken up in its order and the consideration thereof was informally passed.

SENATE BILLS ON THIRD READING

Senate Bill No. 100 was taken up in its order and the consideration thereof was informally passed.

Senate Bill No. 177:

A bill to be entitled An Act to amend Section 2213 of the Revised General Statutes of Florida, providing for examination fee; annual registration fee; registration report of the Board of Pharmacy.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 177 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beall, Gideons, Graham, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Lewis, Murphy, Parrish, Price, Savage, Sharit, Walker, Westbrook, Whitaker—21.

Nays—Senators Black, Clarke, Coulter, Dugger, Dye, Kendrick, Lindler, Parker, Wilson—9.

So Senate Bill No. 177 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Whitaker moved that the rules be waived and in the event Senator Gillis should return to the Senate Chamber before the time of adjournment at this session House Bill No. 104 be immediately taken up and considered by the Senate; in the event House Bill No. 104 is not taken up at this session then it shall be made a Special and Continuing Order of business for consideration by the Senate beginning at 11:15 o'clock A. M., Wednesday, May 24, 1939.

ness for consideration by the Senate beginning at 11:15 o'clock A. M., Wednesday, May 24, 1939.

Which was agreed to by a two-thirds vote, and it was so ordered.

Senate Bill No. 104 was taken up in its order and the consideration thereof was informally passed.

Senate Bill No. 62:

A bill to be entitled An Act providing for the disposition of the personal effects of deceased inmates of certain institutions of the State of Florida where there are no apparent heirs.

Was taken up in its order.

Senator Wilson moved that the rules be waived and Senate Bill No. 62 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 62 was read the second time by title only.

Senator Wilson moved that the rules be further waived and Senate Bill No. 62 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 62 was read the third time in full.

Upon the passage of Senate Bill No. 62 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Dugger, Dye, Gideons, Graham, Hodges, Holland, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Parker, Parrish, Price, Savage, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—30.

Nays—None.

So Senate Bill No. 62 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bill No. 445:

A bill to be entitled An Act authorizing autopsies on deceased patients of the Florida State Hospital and prescribing the conditions on which such autopsies may be held and performed.

Was taken up in its order.

Senator Wilson moved that the rules be waived and Senate Bill No. 445 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 445 was read the second time by title only.

Senator Wilson moved that the rules be further waived and Senate Bill No. 445 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 445 was read the third time in full.

Upon the passage of Senate Bill No. 445 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dugger, Dye, Gideons, Graham, Hinely, Hodges, Holland, Horne, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parker, Price, Rose, Savage, Sharit, Walker, Westbrook, Whitaker, Wilson—33.

Nays—None.

So Senate Bill No. 445 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bill No. 355 was taken up in its order and the consideration thereof was informally passed.

By unanimous consent Senator Dugger withdrew Senate Bill No. 450.

Senator Dugger moved that the rules be waived and the Senate do now take up and consider House Bill No. 784, out of its order.

Which was agreed to by a two-thirds vote.

House Bill No. 784:

A bill to be entitled An Act to amend Section 6231, Revised General Statutes of the State of Florida, 1920, relating to gain time to be allowed to prisoners for good conduct, as amended by Chapter 18065, Laws of Florida, Acts of 1937, so as to have the gain time provision apply to County prisoners as well as to State prisoners.

Was taken up.

Senator Dugger moved that the rules be waived and House Bill No. 784 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 784 was read the second time by title only.

Senator Dugger moved that the rules be further waived and House Bill No. 784 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 784 was read the third time in full.

Upon the passage of House Bill No. 784 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Dugger, Dye, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lindler, Mapoles, McKenzie, Murphy, Parker, Price, Rose, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—32.

Nays—None.

So House Bill No. 784 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Dugger moved that the rules be waived and the Senate do now take up and consider House Bill No. 785, out of its order.

Which was agreed to by a two-thirds vote.

House Bill No. 785:

A bill to be entitled An Act to amend Section 6125 of the Revised General Statutes of Florida, relating to the manner and means of inflicting punishment of death in this State, as amended by Section 3 of Chapter 9169, Laws of Florida, Acts of 1923, so as to provide for the Board of Commissioners of State Institutions to employ some person to pull the electric switch in inflicting death by electrocution.

Was taken up.

Senator Dugger moved that the rules be waived and House Bill No. 785 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 785 was read the second time by title only.

Senator Dugger moved that the rules be further waived and House Bill No. 785 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 785 was read the third time in full.

Pending roll call on the passage of House Bill No. 785, Senator Dugger moved that the further consideration thereof be informally passed.

Which was agreed to and it was so ordered.

Senator Mapoles moved that the rules be waived and the Senate do now take up and consider House Bill No. 8, out of its order.

House Bill No. 8:

A bill to be entitled An Act providing that courses in vocational training shall be made available by County Boards of Public Instruction for students in all accredited high schools of the State.

Which was pending roll call, having been read the third time in full on May 18, 1939, was taken up.

Upon the passage of House Bill No. 8 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Black, Coulter, Dugger, Gideons, Graham, Hodges, Holland, Johns, Kanner, Kelly (11th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Sharit, Walker, Westbrook, Wilson—23.

Nays—Senators Beall, Clarke, Dye, Horne, Price, Ward—6.

So House Bill No. 8 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By unanimous consent Senator Dugger withdrew Senate Bills Nos. 451 and 452.

Senator Westbrook moved that the rules be waived and the Senate do now take up and consider House Bill No. 730, out of its order.

Which was agreed to by a two-thirds vote.

House Bill No. 730:

A bill to be entitled An Act authorizing the Commissioner of Agriculture to participate, on behalf of the State of Florida, in the World's Poultry Congress to be held at Cleveland, Ohio, during the Summer of 1939, and making appropriation therefor.

Was taken up.

Senator Westbrook moved that the rules be waived and House Bill No. 730 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 730 was read the second time by title only.

Senator Westbrook moved that the rules be further waived and House Bill No. 730 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 730 was read the third time in full.

Upon the passage of House Bill No. 730 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dye, Gideons, Graham, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Price, Savage, Walker, Ward, Westbrook, Whitaker, Wilson—30.

Nays—None.

So House Bill No. 730 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bills Nos. 25 and 429 were taken up in their order and the consideration thereof was informally passed.

By unanimous consent Senator Westbrook withdrew Senate Bill No. 436.

Senator Beall moved that House Joint Resolution No. 54 be recalled from the Committee on Constitutional Amendments and placed on the Calendar of Bills on second reading, having been in said Committee more than seven (7) days.

And it was so ordered under the rule.

Senator Westbrook moved that the rules be waived and the Senate do now take up and consider House Bill No. 544, out of its order.

Which was agreed to by a two-thirds vote.

House Bill No. 544:

A bill to be entitled An Act to amend Section 49 of Chapter 13644, Laws of Florida, Acts of 1929, relating to fresh water fish and game.

Was taken up.

Senator Westbrook moved that the rules be waived and House Bill No. 544 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 544 was read the second time by title only.

Senator Westbrook moved that the rules be further waived and House Bill No. 544 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 544 was read the third time in full.

Upon the passage of House Bill No. 544 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dye, Gideons, Graham, Hodges, Holland, Horne, Johns, Kanner, Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parker, Price, Savage, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—31.

Nays—None.

So House Bill No. 544 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Hodges moved that the rules be waived and the Senate do now take up and consider Senate Bill No. 333, out of its order.

Which was agreed to by a two-thirds vote.

Senate Bill No. 333:

A bill to be entitled An Act to amend Section 12 of Chapter 17275, Acts of 1935, being An Act creating the State Planning Board, prescribing its powers and duties, creating county

planning councils and prescribing their powers and duties, and making an appropriation for said board.

Was taken up.

Senator Hodges moved that the rules be waived and Senate Bill No. 333 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 333 was read the second time by title only.

The Committee on Appropriations offered the following amendment to Senate Bill No. 333.

In Section 1 line — (typewritten bill) strike out the words: "Section 12. There is hereby appropriated out of any funds in the State Treasury the sum of Thirty-eight thousand dollars (\$38,000.00) annually for the next two (2) years to carry on the work of the Board and to sponsor contributions and grants of assistance from the Federal Government and Agencies thereof in carrying on such work"; and insert in lieu thereof the following: "Section 12. There is hereby appropriated out of the State Road Department License Fund the sum of \$25,000.00 annually for the next two years to carry on the work of the Board and to sponsor contributions and grants of assistance from the Federal Government in carrying on such work."

Senator Hodges moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Hodges moved that the rules be further waived and Senate Bill No. 333, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 333, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 333, as amended, the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Coulter, Dugger, Dye, Gideons, Graham, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Linder, McKenzie, Murphy, Parker, Price, Rose, Savage, Walker, Ward, Westbrook, Whitaker, Wilson—31.

Nays—None.

So Senate Bill No. 333 passed, as amended, and was referred to the Committee on Engrossed Bills.

Senator Kelly (16th) moved that the rules be waived and the Senate do now revert to the consideration of Messages from the House of Representatives.

Which was agreed to by a two-thirds vote.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 23, 1939.

Hon. J. Turner Butler,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. Cook of Flagler—
House Bill No. 584:

A bill to be entitled An Act providing for limited surety companies, the rights, powers, privileges, duties, obligations and liabilities of such companies and authorizing such limited surety companies to become sureties upon any bonds in judicial proceeding, whether civil or criminal, and to become surety or guarantor upon bonds, obligations, contracts and agreements where the amount of such bond or other obligation shall not exceed five hundred (\$500.00) dollars; providing for the issuance and revocation of a certificate of authority and for the duties of certain State and County officers: providing for an adequate deposit of bonds or other securities with the State Treasurer and for licenses and taxes; providing penalties for violations of said Act.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And House Bill No. 584, contained in the above message, was read the first time by title only.

Senator Kelly (16th) moved that House Bill No. 584 be

placed on the Calendar of Bills on second reading without reference.

Which was agreed to and it was so ordered.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 23, 1939.

Hon. J. Turner Butler,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed:

By Messrs. Holt, Lindsey and Overstreet of Dade—
House Bill No. 133:

A bill to be entitled An Act to amend Section 2909 Revised General Statutes (1920) (4619 C. G. L.) and Section 3168 Revised General Statutes (1920) (4960 C. G. L.) so as to limit the time for writs of error and appeals; and to repeal Section 2910 Revised General Statutes (1920) (4620 C. G. L.) allowing married women two years to sue out a writ of error.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And House Bill No. 133, contained in the above message, was read the first time by title only.

Senator Lewis moved that House Bill No. 133 be placed on the Calendar of Bills on second reading without reference.

Which was agreed to and it was so ordered.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 23, 1939.

Hon. J. Turner Butler,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed:

By Mr. Henderson of Volusia—
House Bill No. 181:

A bill to be entitled An Act to create a system for the administration of probation and parole; authorizing and regulating the use of probation, suspension of sentence and parole; establishing a State Commission of Probation and Parole; conferring and defining its jurisdiction, powers and duties; providing for the method of selection or appointment of its members; regulating the employment or appointment, removal and discharge of its employees; regulating the compensation of members of the Commission and of employees thereof; making violations of certain provisions of this Act misdemeanors and providing therefor; and for other related purposes: making appropriation for operation of this Act: effective date of Act: and to repeal all Acts and parts of Acts inconsistent with this Act.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And House Bill No. 181, contained in the above message, was read the first time by title only.

Senator Ward moved that House Bill No. 181 be placed on the Calendar of Bills on second reading without reference.

Which was agreed to and it was so ordered.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 23, 1939.

Hon. J. Turner Butler,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives respectfully requests the return of

By Mr. Stewart of Hendry—
House Bill No. 764:

A bill to be entitled An Act for the relief of Halley B. Lewis

for his necessary and actual financial losses sustained by him without any fault on his part and by virtue of being held up and robbed of his automobile and other personal property by two escaped State convicts.

for the purpose of further consideration.
Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

Senator Ward moved that the request of the House of Representatives, as contained in the foregoing message, be granted.

Which was agreed to and House Bill No. 764 was ordered returned to the House of Representatives.

By permission the following Resolution was introduced:

By Senator Whitaker—

Senate Resolution No. 25:

BE IT RESOLVED, that where a bill has been made a Special Order by a vote of the Senate on two separate occasions, then when such bill is taken up for final passage the time for the debate shall be limited as follows: thirty minutes to the proponents of the bill and thirty minutes to the opponents of such bill, so that the total time for debate shall be limited to one hour.

Which was read the first time in full.

The question was put on the adoption of the Resolution.

Pending adoption the Senate Resolution No. 25, Senator Sharit moved that the Senate do now adjourn.

Which was agreed to and the Senate took a recess at 4:50 o'clock P. M., until 8:00 o'clock P. M., this day.

NIGHT SESSION

The Senate reconvened at 8:00 o'clock P. M., pursuant to recess order.

The President in the Chair.

The roll was called and the following Senators answered to their names:

Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dugger, Dye, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Westbrook, Whitaker, Wilson—35.

A quorum present.

By permission the following Reports of Committees were filed:

REPORTS OF COMMITTEES

Senator Kanner, Acting Chairman of the Committee on Education, reported that the Committee had carefully considered the following bills and recommends that the same do pass:

Senate Bill No. 132:

A bill to be entitled An Act to amend Sections 1 and 3 of Chapter 17252, Laws of Florida, Acts of 1935, being "An Act to require all owners or operators of school busses to secure and keep in force liability insurance on each of such busses, and to authorize County Boards of Public Instruction and/or trustees of Special Tax School Districts to insure against accident children while being transported to or from school," so as to provide that County Boards of Public Instruction or Trustees of Special Tax School Districts shall pay the premiums on all such liability insurance.

Senate Bill No. 424:

A bill to be entitled An Act to provide for increasing the number of instruction units allotted a County when an emergency exists by reason of increased school attendance.

Senate Bill No. 613:

A bill to be entitled An Act to amend Section 2 of Chapter 4678, Laws of Florida, Acts of 1899 (Section 561, Revised General Statutes of Florida, Section 701, Compiled General Laws of Florida, 1927), and to amend Section 2 of Chapter 7913, Laws of Florida, Acts of 1919 (Section 748, Compiled General Laws of Florida, 1927), relating to the establishment of Special Tax School Districts and to the consolidation of Special Tax School Districts in the State of Florida, and prescribing the conditions under which an election might be held for the establishment or consolidation of such Special Tax School Districts.

Senate Bill No. 642:

A bill to be entitled An Act to require the teaching of the Civil Government of Florida in the public schools of the State of Florida and to make it the duty of the State Board of Education and the State School Book Commission to carry out the provisions of this Act.

And Senate Bills Nos. 132, 424, 613 and 642, contained in the above report, were placed on the Calendar of Bills on second reading.

Senator Kanner, Acting Chairman of the Committee on Education, reported that the Committee had carefully considered the following bills and recommends that the same do pass.

Senate Bill No. 801:

A bill to be entitled An Act relating to the operation and maintenance of the State system of public education of the State of Florida, authorizing the State Board of Education to accept on behalf of the State of Florida any funds which may be appropriated by the Congress of the United States and allotted to the State for the improvement of any or all phases of the State system of public education; authorizing the State Board of Education to take such steps as may be necessary to meet the requirements and conditions prescribed by any bills enacted by the Congress of the United States relating to Federal aid to education, such as the "Federal Aid to Education Act of 1939" (Senate Bill 1305) now before the Congress; authorizing the State Board of Education to take the necessary steps to obtain full advantage from such appropriations and apportionments for the State of Florida and to promulgate such rules and regulations as may be necessary to secure equitable apportionment and use of any such funds for the purposes intended or required; designating the State Treasurer as custodian of any or all such funds; providing for the auditing of all accounts relating to such funds; and providing for the making of such reports as may be necessary to render a complete accounting of all such funds and of the activities supported by such funds.

Senate Bill No. 846:

A bill to be entitled An Act to amend Section 13 of Chapter 16981, Laws of Florida, Acts of 1935, as amended by Chapter 17729, Laws of Florida, Acts of 1937, entitled "An Act to confer certain powers upon the State Board of Control including the powers to purchase, lease, construct, better and equip buildings for and to make other improvements to institution under its jurisdiction, and for such purpose and upon certain conditions to borrow money and accept grants from Federal agency; to provide for the re-payment of such loans from the proceeds of the projects constructed with the money borrowed and to provide for the issuance of revenue certificates for the re-payment of the money borrowed, and protecting the State of Florida against the incurring of indebtedness in such manner inconsistent with the Constitution of Florida and conferring upon said Board of Control and members thereof the powers to carry out the provisions of this Act; and to provide for the repeal of all laws inconsistent herewith" by extending the time allowed for borrowing money and issuing revenue certificates to December 31, 1941.

And Senate Bills Nos. 801 and 846, contained in the above report, were placed on the Calendar of Bills on second reading.

Senator Kanner, Acting Chairman of the Committee on Education, reported that the Committee had carefully considered the following bill and recommends that the same do pass.

Senate Bill No. 995:

A bill to be entitled An Act providing for the creation and establishment of a College of Forestry in the University.

And Senate Bill No. 995, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Holland, Chairman of the Committee on Finance and Taxation, reported that the Committee had carefully considered the following bill and recommends that the same do pass with Committee Amendments:

Senate Bill No. 395:

A bill to be entitled An Act to provide for raising revenue sufficient to defray the expenses of the State of Florida and Confederate pensions as authorized by Chapter 7259, Acts of 1917 of the Laws of Florida, as amended, for each of the

fiscal years 1939 and 1940; and to provide for a levy of taxes in the several counties for said years.

Which amendments are as follows:

Amendment No. 1. In Section 3 strike out the words: "To provide the necessary funds to meet the current expenses of the State of Florida for Confederate pensions as authorized under Chapter 7259 Acts of 1917 of the Laws of Florida, as amended, for each of the fiscal years 1939 and 1940, there shall be levied a tax of two (2) mills upon the real and personal property assessed for taxes within the several counties of the State for each of the years 1939 and 1940," and insert in lieu thereof the following: "To provide the necessary funds to meet the current expenses of the State of Florida for Confederate pensions as authorized under Chapter 7259, Acts of 1917 of the Laws of Florida, as amended, for each of the fiscal years 1939 and 1940, there is hereby appropriated for each of said years of 1939 and 1940, the sum of \$450,000.00 from the General Revenue Fund, or so much thereof as may be necessary to supplement the proceeds from the aforesaid one half (½) mill tax."

Amendment No. 2. In Section 4, strike out all of Section 4, which reads as follows: "The Governor may reduce said millage for either year or both years, should he be satisfied that a smaller levy will provide sufficient revenue to pay all appropriations against said fund," and renumber Sections 5, 6 and 7 as 4, 5, and 6, respectively.

And Senate Bill No. 395, contained in the above report, together with Committee Amendments thereto, was placed on the Calendar of Bills on second reading.

Senator Holland, Chairman of the Committee on Finance and Taxation, reported that the Committee had carefully considered the following bill and recommends that the same do pass with Committee Amendments—

Senate Bill No. 817:

A bill to be entitled An Act to provide for the better collection of business taxes, excise taxes, and license taxes by requiring all persons, firms or corporations who offer to sell or who sell commodities, goods, merchandise or services to the State of Florida or any subdivision thereof, or to any county or municipality in Florida, to pay such taxes before being qualified to bid for or to sell any goods or commodities to such governmental agencies; to provide for the administration of the provisions of this Act; to provide for the enforcement of the provisions of this Act, and penalties for its violation; and to repeal all laws or parts of laws in conflict herewith.

Which Amendments are as follows:

Amendment No. 1: In Section one, line 8, strike out the words "and/or road material."

Amendment No. 2: In Section one, add at end of Section one the following: "Provided, however, the provisions of this Act shall not apply to any Road Building Materials, purchased or used by the State or any of its subdivisions or agencies."

Amendment No. 3: In Section one, line 9, after the words "Petroleum Products" insert the following: "Except Asphalt."

And Senate Bill No. 817, contained in the above report, together with Committee Amendments thereto, was placed on the Calendar of Bills on second reading.

Pursuant to the motion made by Senator Kanner on May 19, 1939, the Senate took up the consideration of the following pet bills.

House Bill No. 1092:

A bill to be entitled An Act to prohibit the manufacture, sale, disposal, or movement in commerce within the State of Florida, of adulterated or misbranded foods, drugs, devices and cosmetics; prohibiting the false advertisement and guaranteeing of foods, drugs, devices and cosmetics: providing definitions for terms as used in this Act: providing that the Commissioner of Agriculture may obtain injunctions in certain cases: providing penalties for the violation hereof: providing for the detention or embargo of foods, drugs, devices or cosmetics suspected of being in violation of this Act: providing for the destruction of articles of food, drugs, devices and cosmetics in violation of this Act: requiring the various attorneys to prosecute violations of this Act: allowing for minor violations of this Act to be handled without court proceedings directing the Commissioner of Agriculture to establish definitions and standards of identity, or quality or fill of container and sanitary regulations with reference to manufacture: defining adulterated food, drugs, devices and cosmetics; providing what

constitutes misbranded food, drugs, devices and cosmetics: providing for licenses and permits for food establishments in emergencies prohibiting the sale of new drugs unless and until such drug has been approved for sale by the Secretary of Agriculture of the United States or by the Commissioner of Agriculture and providing the manner in which the Commissioner shall approve such application for the sale of a new drug within the State of Florida: authorizing the Commissioner to promulgate regulations for the enforcement of this Act: providing for the appointment of inspectors, and for the inspection and analysis of foods, drugs, devices and cosmetics and the establishments where such products are manufactured or stored and for the cost of procuring and analyzing such samples: providing for the publication of the findings under this Act: repealing all laws and parts of laws in conflict with this Act: and for other purposes.

Was taken up.

Senator McKenzie moved that the rules be waived and House Bill No. 1092 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1092 was read the second time by title only.

Senator McKenzie moved that the rules be further waived and House Bill No. 1092 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 1092 was read the third time in full.

Upon the passage of House Bill No. 1092 the roll was called and the vote was:

Yeas—Senators Adams, Black, Clarke, Coulter, Dye, Gideons, Graham, Hinely, Hodges, Holland, Kanner, Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Sharit, Walker, Westbrook, Whitaker—25

Nays—Mr. President; Senators Beacham, Beall, Dugger, Horne, Johns, Kelly (11th), Wilson—8.

So House Bill No. 1092 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Horne moved that a committee be appointed to escort Judge Sarah Bryan, Justice of Peace of Duval County, to a seat on the rostrum.

Which was agreed to.

The President appointed Senators Horne, Whitaker and Wilson as the committee.

Senate Bill No. 830:

A bill to be entitled An Act to fix the annual salary of the State Auditor and to repeal all laws and parts of laws in conflict therewith.

Was taken up.

Senator Johns moved that the rules be waived and Senate Bill No. 830 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 830 was read the second time by title only.

Senator Johns moved that the rules be further waived and Senate Bill No. 830 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 830 was read the third time in full.

Upon the passage of Senate Bill No. 830 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dugger, Dye, Gideons, Graham, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parrish, Price, Sharit, Walker, Westbrook, Whitaker, Wilson—31.

Nays—None.

So Senate Bill No. 830 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

House Bill No. 584:

A bill to be entitled An Act providing for limited surety companies, the rights, powers, privileges, duties, obligations and liabilities of such companies and authorizing such limited surety companies to become sureties upon any bonds in judicial proceeding, whether civil or criminal, and to become surety or guarantor upon bonds, obligations, contracts and

agreements where the amount of such bond or other obligation shall not exceed Five hundred dollars (\$500.00); providing for the issuance and revocation of a certificate of authority and for the duties of certain State and County officers; providing for an adequate deposit of bonds or other securities with the State Treasurer and for licenses and taxes; providing penalties for violations of said Act.

Was taken up.

Senator Kelly (16th) moved that the rules be waived and House Bill No. 584 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 584 was read the second time by title only.

Senator Kelly (16th) moved that the rules be further waived and House Bill No. 584 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 584 was read the third time in full.

Upon the passage of House Bill No. 584 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Clarke, Coulter, Dugger, Gideons, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Lewis, Lindler, McKenzie, Murphy, Parker, Parrish, Price, Savage, Sharit, Walker, Whitaker, Wilson—27.

Nays—Senators Dye, Graham, Hinely, Kendrick, Mapoles, Rose—6.

So House Bill No. 584 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

House Bill No. 659:

A bill to be entitled An Act appropriating Fifty thousand dollars for use by the State Agricultural Marketing Board in establishing and maintaining in the State of Florida a market for the selling and processing of livestock.

Was taken up.

Senator Hinely moved that the rules be waived and House Bill No. 659 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 659 was read the second time by title only.

Senator Hinely moved that the rules be further waived and House Bill No. 659 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 659 was read the third time in full.

Upon the passage of House Bill No. 659 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Coulter, Dugger, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parrish, Price, Savage, Sharit, Westbrook, Whitaker—28.

Nays—None.

So House Bill No. 659 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bill No. 628:

A bill to be entitled An Act authorizing and empowering the State Road Department to establish permanent division headquarters in each of the five field divisions of the State Road Department into which the State is divided.

Was taken up.

Senator Sharit moved that the rules be waived and Senate Bill No. 628 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 628 was read the second time by title only.

Senator Sharit moved that the rules be further waived and Senate Bill No. 628 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 628 was read the third time in full.

Upon the passage of Senate Bill No. 628 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall,

Black, Clarke, Coulter, Dugger, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Whitaker—32.

Nays—None.

So Senate Bill No. 628 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bill No. 262:

A bill to be entitled An Act to amend Chapter 12223, Laws of Florida, 1927, being "An Act to define regulate and register real estate brokers and real estate salesmen, and to regulate their relations with the public; to create the Florida Real Estate Commission, provide for its organization, succession and the payment of its expenses, prescribe its powers, duties and privileges, and the supervisory control by, and ancillary powers of, the courts touching the subject; and to prescribe penalties for the violation of the Act."

Was taken up.

Senator Rose moved that the rules be waived and Senate Bill No. 262 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 262 was read the second time by title only.

Senator Rose moved that the rules be further waived and Senate Bill No. 262 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 262 was read the third time in full.

Pending roll call, Senator Rose moved that the further consideration of Senate Bill No. 262 be informally passed.

Which was agreed to and it was so ordered.

Committee Substitute for Senate Bills Nos. 357 and 358:

A bill to be entitled An Act for the relief of Sherman Walker and Octavia Hodge, both of Marion County, Florida, for injuries received in an automobile accident caused by the negligent driving of a truck by an employee of the State Road Department of the State of Florida; and providing for the payment by the State Road Department of the State of Florida compensation for damages to Sherman Walker and Octavia Hodge.

Was taken up.

Senator Savage moved that the rules be waived and Committee Substitute for Senate Bills Nos. 357 and 358 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Committee Substitute for Senate Bills Nos. 357 and 358 was read the second time by title only.

Senator Savage moved that the rules be further waived and Committee Substitute for Senate Bills Nos. 357 and 358 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Committee Substitute for Senate Bills Nos. 357 and 358 was read the third time in full.

Upon the passage of Committee Substitute for Senate Bills Nos. 357 and 358 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beall, Black, Coulter, Dugger, Dye, Gideons, Graham, Hodges, Holland, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Mapoles, McKenzie, Murphy, Parrish, Price, Rose, Savage, Sharit, Walker, Westbrook, Whitaker, Wilson—29.

Nays—Senator Clarke—1.

So Committee Substitute for Senate Bills Nos. 357 and 358 passed by the required Constitutional two-thirds vote of all members elected to the Senate for the 1939 session of the Florida Legislature, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bill No. 160:

A bill to be entitled An Act relating to damage to property by automobiles, trucks and other motor vehicles, requiring the owner or operator thereof to give notice of said damage, together with his name and address and the name and address of the owner, and prescribing penalties for failure to do so.

Was taken up.

Senator Rose moved that the rules be waived and Senate Bill No. 160 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 160 was read the second time by title only.

Senator Rose offered the following amendment to Senate Bill No. 160:

In Section 1, line 4 (printed bill) strike out the words: "property, real or personal"; and insert the following: "real property or fixtures."

Senator Rose moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Rose moved that the rules be further waived and Senate Bill No. 160, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 160, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 160, as amended, the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Coulter, Dugger, Gideons, Graham, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Savage, Sharit, Westbrook, Whitaker, Wilson—31.

Nays—None.

So Senate Bill No. 160 passed, as amended, and was referred to the Committee on Engrossed Bills.

Senate Bill No. 312:

A bill to be entitled An Act authorizing the use of State prisoners for the improvement, conservation and reforestation of lands owned by the State of Florida; authorizing the trustees of the internal improvement fund and the Board of Commissioners of State Institutions to enter into such arrangements as may be deemed advisable in relation thereto.

Was taken up.

Senator Coulter moved that the rules be waived and Senate Bill No. 312 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 312 was read the second time by title only.

Senator Coulter moved that the rules be further waived and Senate Bill No. 312 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 312 was read the third time in full.

Upon the passage of Senate Bill No. 312 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dugger, Dye, Graham, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kendrick, Lewis, Lindler, McKenzie, Murphy, Parrish, Rose, Savage, Sharit, Westbrook, Whitaker, Wilson—28.

Nays—None.

So Senate Bill No. 312 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bill No. 720:

A bill to be entitled An Act fixing the occupational license tax for barber shops and repealing all laws in conflict herewith.

Was taken up.

Senator Parker moved that the rules be waived and Senate Bill No. 720 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 720 was read the second time by title only.

Senator Parker moved that the rules be further waived and Senate Bill No. 720 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 720 was read the third time in full.

Upon the passage of Senate Bill No. 720 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dye, Gideons, Graham, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, McKenzie, Murphy, Parker, Parrish, Price, Savage, Sharit, Westbrook, Whitaker, Wilson—30.

Nays—None.

So Senate Bill No. 720 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

House Bill No. 731:

A bill to be entitled An Act appropriating moneys from the General Revenue Fund to pay pensions due to Confederate Veterans and their widows in their fiscal year ending June 30th, 1939.

Was taken up.

Senator Westbrook moved that the rules be waived and House Bill No. 731 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 731 was read the second time by title only.

Senator Hodges offered the following amendment to House Bill No. 731:

(Typewritten bill) strike out all of Section 1 and insert in lieu thereof the following: That because of the shortage in the fund from which the pensions hereinafter mentioned are due to be paid, there is hereby appropriated the sum of \$300,000.00, or so much thereof as may be required, from the General Revenue Fund to be used for the purpose of paying pensions due to be paid to Confederate Veterans and their widows, until such time as funds become available from the 1939 ad valorem tax levy.

Senator Hodges moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Hodges also offered the following amendment to House Bill No. 731:

Strike the title and insert in lieu thereof the following: An Act appropriating moneys from the General Revenue Fund to pay pensions due to Confederate veterans and their widows until such time as funds become available from the 1939 Ad Valorem tax levy.

Senator Hodges moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Westbrook moved that the rules be further waived and House Bill No. 731, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 731, as amended, was read the third time in full.

Upon the passage of House Bill No. 731, as amended, the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dugger, Dye, Gideons, Graham, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, McKenzie, Murphy, Parker, Parrish, Price, Rose, Savage, Sharit, Westbrook, Whitaker, Wilson—32.

Nays—None.

So House Bill No. 731 passed, as amended, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bill No. 568:

A bill to be entitled An Act providing cumulative and additional remedies, including suspension and revocation of license and right to do business, in the enforcement of all laws of State of Florida now or hereafter in force having for their purpose the protection of trade-mark owners, producers, distributors and the general public against injurious and uneconomic practices in the distribution of competitive commodities bearing a distinguishing trade-mark, brand or name; authorizing the use of contracts establishing minimum resale prices and refusal to sell unless such minimum resale prices are observed, and making such contracts obligatory on all persons having knowledge of them, whether or not such persons are parties thereto, and providing the procedure and payment of costs and fees in connection therewith.

Was taken up.

Senator Dye moved that the rules be waived and Senate Bill No. 568 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 568 was read the second time by title only.

Senator Dye offered the following amendment to Senate Bill No. 568:

In Section 1, line 3 (typewritten bill) strike all the quoted title beginning with the words, "An Act" and continuing through the numbers 287 in line 11, and insert in lieu thereof: "An Act to protect good will represented by trade marks, names or brands, against injury by authorizing contracts establishing minimum resale prices on commodities bearing them and defining as unfair competition and making actionable knowingly and wilfully to advertise and sell such commodities at less than the minimum prices established in the contract authorized by this Act, whether the person so advertising and selling is or is not a party to such contract, being House Bill No. 624.

Senator Dye moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Dye also offered the following amendment to Senate Bill No. 568:

In the title in line 17 after "thereto" insert, "or having for their purpose the protection of good will represented by trade marks, names or brands, against injury by authorizing contracts establishing minimum resale prices on commodities bearing them and defining as unfair competition and making actionable knowingly and wilfully advertising and selling such commodities at less than the minimum prices established in the contract authorized by law, whether the person so advertising and selling is or is not a party to such contract.

Senator Dye moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Dye moved that the rules be further waived and Senate Bill No. 568, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 568, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 568, as amended, the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dugger, Dye, Gideons, Graham, Hodges,

Holland, Horne, Kanner, Kelly (11th), Kelly (16th), Kendrick, McKenzie, Murphy, Parker, Parrish, Price, Rose, Savage, Sharit, Westbrook, Whitaker, Wilson—29.

Nays—None.

So Senate Bill No. 568 passed, as amended, and was referred to the Committee on Engrossed Bills.

Senate Bill No. 530:

A bill to be entitled An Act authorizing and directing the State Motor Vehicle Commissioner to purchase and install a passenger elevator in the Martin Department Building, and making appropriation therefor.

Was taken up.

Senator Sharit moved that the rules be waived and Senate Bill No. 530 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 530 was read the second time by title only.

Senator Sharit moved that the rules be further waived and Senate Bill No. 530 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 530 was read the third time in full.

Upon the passage of Senate Bill No. 530 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dugger, Dye, Gideons, Graham, Hodges, Holland, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, McKenzie, Murphy, Parker, Parrish, Price, Rose, Savage, Sharit, Westbrook, Whitaker, Wilson—30.

Nays—None.

So Senate Bill No. 530 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The hour of adjournment having arrived, a point of order was called and the Senate stood adjourned at 10:00 o'clock P. M., until 11:00 o'clock A. M., Wednesday, May 24, 1939.